UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/1993/32
E/CN.15/1993/9
10 June 1993

ORIGINAL: ENGLISH

Substantive session of 1993
28 June to 30 July 1993

REPORT OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE ON ITS SECOND SESSION*

(Vienna, 13 to 23 April 1993)

---

* The present document is a mimeographed version of the report of the Commission on Crime Prevention and Criminal Justice on its second session. It will be issued subsequently in final form as Official Records of the Economic and Social Council, 1993, Supplement No. 12 (E/1993/32).

CONTENTS

Chapter | Page

I. MATTERS CALLING FOR ACTION BY THE ECONOMIC AND SOCIAL COUNCIL ... 4

  A. Draft resolutions 4

  B. Draft decisions 50

II. REVIEW OF PRIORITY THEMES 54

  A. National and transnational crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment 55

  B. Crime prevention in urban areas, juvenile and violent criminality 57

  C. Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies 58

III. TECHNICAL COOPERATION 79

IV. UNITED NATIONS STANDARDS AND NORMS IN THE FIELD OF CRIME PREVENTION AND CRIMINAL JUSTICE 86

V. PREPARATIONS FOR THE NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS 101

VI. COOPERATION AND COORDINATION OF ACTIVITIES WITH OTHER UNITED NATIONS BODIES 128

VII. IMPLEMENTATION OF ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1992/22 135

VIII. PROGRAMME QUESTIONS 136

IX. PROVISIONAL AGENDA FOR THE THIRD SESSION OF THE COMMISSION 138

X. ADOPTION OF THE REPORT OF THE COMMISSION ON ITS SECOND SESSION .. 139

XI. ORGANIZATION OF THE SESSION 140

  A. Opening and duration of the session 140

  B. Attendance 141

  C. Election of officers 141

  D. Agenda and organization of work 141

CONTENTS (continued)

Chapter Page

E. Documents 142

F. Consultations with non-governmental organizations 142

Annexes

I. LIST OF PARTICIPANTS 143

II. AGENDA OF THE SECOND SESSION 148

III. LIST OF DOCUMENTS BEFORE THE COMMISSION AT ITS SECOND SESSION ... 149

Chapter I

MATTERS CALLING FOR ACTION BY THE ECONOMIC AND SOCIAL COUNCIL

A. Draft resolutions

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following nine draft resolutions.

DRAFT RESOLUTION I

Violence against women in all its forms*

The Economic and Social Council,

Recalling the report of the Secretary-General on domestic violence, 1/

Recalling also General Assembly resolutions 45/114 of 14 December 1990 on domestic violence and 47/96 of 16 December 1992 on migrant women workers,

Recalling further Commission on Human Rights resolution 1993/46 of 8 March 1993, in which the Commission, inter alia, condemned acts of violence and violations of human rights directed specifically against women, 2/

Referring to the recommendations of the Expert Group Meeting on Violence against Women, 3/ held at Vienna from 11 to 15 November 1991,

Reaffirming its resolution 1992/18 of 30 July 1992,

Fully supporting the draft declaration on the elimination of violence against women, 4/ elaborated by the Expert Group Meeting on Violence against Women and by the Working Group on Violence against Women of the Commission on the Status of Women, held at Vienna from 31 August to 4 September 1992,

Expressing deep concern about the continuing and endemic violence against women,

---

* For the discussion, see chap. II.

1/ A/CONF.144/17.

2/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

3/ E/CN.6/1992/4, annex.

4/ E/CN.6/1993/12, appendix I.

Convinced of the necessity of substantially improving the situation of victims of violence,

Calling attention to the fact that it is important for perpetrators of domestic violence to receive appropriate punishment,

Noting that, unlike rape within the family or in the community, systematic rape used as a political strategy is not mentioned in the documents referred to above,

Strongly condemning systematic rape during armed conflict,

Recognizing the increased public attention that is being given to the issue of violence against women, and how women can be victimized by virtue of their gender,

Recognizing also the work being done by non-governmental organizations in eliminating violence against women, in drawing attention to the nature, severity and magnitude of violence against women and in assisting women who are victims of violence,

Appreciating international cooperation in efforts to combat violence against women,

1. *Urges* Governments, the specialized agencies of the United Nations and the non-governmental organizations concerned:

(a) To take all possible steps to prevent violence against women;

(b) To intensify their efforts to use criminal law to prohibit vilent acts against women;

(c) To promote police and penal systems that combine the protection of society with the prosecution and appropriate punishment of perpetrators;

(d) To offer full assistance, including provision of safe shelter, access to the legal system and, where necessary, counselling, medical, financial and other support, to women who are victims of violence;

(e) To improve police training to ensure that all incidents of violence against women are thoroughly investigated and that adequate help and support are given to victims in countries where it is necessary;

(f) To respond quickly to every case that calls for assistance to be provided to the victim;

(g) To take measures to combat violence against women occurring within the community, such as rape, sexual abuse, traditional practices harmful to women, trafficking in women and forced prostitution;

(h) To guarantee appropriate punishment and treatment of offenders, including sentencing strategies that deter perpetrators from repeating offences;

(i) To include the issue of violence against women in all its forms in the preparations for and observance of the International Year of the Family, in 1994, under the question of crime prevention and criminal justice;

(j) To include the issue of violence against women in all its forms under the appropriate item of the provisional agenda for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1995;

2. _Requests_ the Commission on Crime Prevention and Criminal Justice to include the issue of violence against women in all its forms in the provisional agenda for its third session;

3. _Urges_ Governments to give their full support to the adoption by the General Assembly at its forty-eighth session of the draft declaration on the elimination of violence against women, recommended by the Commission on the Status of Women at its thirty-seventh session;

4. _Welcomes_ the extrabudgetary funds provided by the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, for the publication, in English, of the document entitled "Strategies for confronting domestic violence: a resource manual", prepared in collaboration with the Government of Canada, the Crime Prevention and Criminal Justice Branch of the United Nations Secretariat and the Helsinki Institute and reviewed at an expert group meeting hosted by the International Centre for Criminal Law Reform and Criminal Justice Policy, and requests the Secretary-General to publish it as soon as possible in the other official languages of the United Nations, subject to the availability of regular budgetary or extrabudgetary funds.

DRAFT RESOLUTION II

_Proposed guidelines for the prevention of urban crime_*

The Economic and Social Council,

Recalling its resolutions 1979/20 of 9 May 1979, 1984/48 of 25 May 1984 and 1990/24 of 24 May 1990 and General Assembly resolutions 45/121 of 14 December 1990 and 46/152 of 18 December 1991,

Recalling also its resolution 1992/22 of 30 July 1992,

Recalling further the Milan Plan of Action, 5/ the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing

---

* For the discussion, see chap. II.

5/ See _Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat_ (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. A.

Rules), 6/ the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), 7/ the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules), 8/ the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 9/ and the resolution entitled "Prevention of urban crime" adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 10/

Aware of the universal character of urban crime,

Recognizing the usefulness of establishing guidelines to facilitate action on preventing urban crime,

Anxious to respond to the call by many States for technical cooperation programmes adapted to local conditions and needs,

1. Takes note of the proposed guidelines for cooperation and technical assistance in the field of urban crime prevention, contained in the annex to the present resolution, which are aimed at making urban crime prevention more effective;

2. Requests the Secretary-General to disseminate the proposed guidelines for cooperation and technical assistance in the field of urban crime prevention as widely as possible, with a view to their being examined by the Commission on Crime Prevention and Criminal Justice at its third session for their inclusion in the discussion under item 6 of the provisional agenda for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1995, and then being published in the most appropriate form, for example, in the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice; 11/

3. Encourages Member States to report on their experiences in elaborating urban crime prevention projects on the basis of the proposed guidelines;

4. Calls upon the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice and non-governmental organizations to submit their experiences in the field of urban crime prevention and to express their observations;

6/ General Assembly resolution 40/33, annex.

7/ General Assembly resolution 45/112, annex.

8/ General Assembly resolution 45/110, annex.

9/ General Assembly resolution 40/34, annex.

10/ See United Nations publication, Sales No. E.91.IV.2, chap. I, sect. C.

11/ United Nations publication, Sales No. E.92.IV.1.

5. *Requests* the Secretary-General to examine the possibility, taking into account the United Nations crime prevention and criminal justice programme, of coordinating measures for urban crime prevention that may be included in the assistance programmes carried out by other United Nations entities;

6. *Also requests* the Secretary-General to examine, together with international financial institutions, the possibility of including urban crime prevention measures in their assistance programmes.

Annex

PROPOSED GUIDELINES FOR COOPERATION AND TECHNICAL ASSISTANCE IN THE FIELD OF URBAN CRIME PREVENTION

A. Modalities for the design and implementation of cooperation and assistance activities

1. All cooperation projects for urban crime prevention should comply with the principles set out below.

1. Local approach to problems

2. Urban crime is characterized by a multiplicity of factors and forms - for each case a local approach to the problems to be addressed must be adopted. This involves:

(a) A local diagnostic survey of the crime phenomena, their characteristics, factors leading to them, the form they take and their extent;

(b) The identification of all the relevant actors that could take part in compiling this diagnostic survey and in crime prevention: public institutions (national or local), local elected officials, the private sector (associations, enterprises etc.), community representatives etc.;

(c) The setting up, from the outset, of consultation mechanisms promoting closer liaison, the exchange of information, joint work and the design of a coherent strategy.

2. Concerted design of a global crime prevention action plan

3. The global crime prevention action plan:

(a) Shall define:

(i) The nature of the phenomena to be tackled (poverty, unemployment, housing, health and education problems, cultural or inter-ethnic conflicts, drugs etc.);

(ii) The objectives being pursued and the time-limits fixed for them to be attained;

(iii) The modalities of action envisaged and the respective responsibilities of those involved vis-à-vis the implementation of the plan (national and local resources to be mobilized and resources available through international cooperation);

(b) Shall involve a wide range of fields:

(i) Family, young people and adults, relationship between the generations or between social groups etc.;

(ii) Education, civic values, culture etc.;

(iii) Employment, training, measures for combating unemployment;

(iv) Housing;

(v) Health, drug and alcohol abuse;

(vi) Government and community welfare aid for the least fortunate members of society;

(vii) Combating the culture of violence;

(c) Shall involve a range of actors representing:

(i) The police, the courts, education, housing, health, social workers etc.;

(ii) The community: elected officials, associations, volunteers, parents, etc.;

(iii) The economic sector: enterprises, banks, business, public transport etc.;

(d) Shall provide for action on various levels:

(i) Primary prevention:

a. By promoting welfare and health development and progress and by combating all forms of social deprivation;

b. By promoting communal values and respect for fundamental human rights;

c. By promoting civic responsibility and social mediation procedures;

d. By adapting the working methods of the police and the courts (community police and courts);

(ii) Prevention of recidivism:

a. Through modified police intervention (rapid response, within the local community etc.);

b. By modifying methods of judicial intervention:

i. Diversification of modalities of treatment and of measures taken according to the nature and seriousness of the cases (special system for minors);

ii. Systematic research on the reintegration of offenders involved in urban crime;

iii. Socio-educational support within the framework of the sentence, in prison and as preparation for release from prison;

(iii) After the sentence has been served: aid and socio-educational support, family support etc.;

(iv) Protection of victims by practical improvements in the treatment of victims by means of the following:

a. Raising awareness of rights and how to exercise them effectively;

b. Reinforcing rights (in particular the right to compensation);

c. Introducing systems of victim reception, assistance and follow-up.

B. Implementation of the action plan

1. The national authorities

4. The national authorities:

(a) Should provide active encouragement to local actors (information, technical and financial aid etc.);

(b) Should coordinate national policy and strategies with local strategies and needs (possibly by means of contracts between national and local authorities);

(c) Should organize interministerial consultation and cooperation mechanisms.

2. The national and local authorities

5. The national and local authorities:

(a) Should be constantly mindful of respect for the fundamental principles of human rights in promoting these activities;

(b) Should implement training programmes (national and local) to inform and support all the professionals involved in crime prevention (initial training as well as in-service training to accommodate changes in working methods);

(c) Should compare experiences and organize exchanges of know-how;

(d) Should provide for means of evaluating regularly the effectiveness of the strategy implemented and the possible revision of it.

DRAFT RESOLUTION III

The role of criminal law in the protection of the environment*

The Economic and Social Council,

Recalling its resolution 1992/22 of 30 July 1992, in section VI of which it determined that three priority themes should guide the work of the Commission on Crime Prevention and Criminal Justice, one of which included the role of criminal law in the protection of the environment, and in section III of which it invited Member States to establish reliable and effective channels of communication among themselves and with the United Nations crime prevention and criminal justice programme, including the regional institutes affiliated with the United Nations,

Recalling also General Assembly resolution 45/121 of 14 December 1990 on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the Assembly welcomed the instruments and resolutions adopted by the Congress, inter alia, the resolution on the role of criminal law in the protection of nature and the environment, 12/

Recalling further General Assembly resolution 46/152 of 18 December 1991, in which the Assembly called for strengthening regional and international cooperation in combating transnational crime,

Noting with appreciation the collaboration of the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, and the Max Planck Institute for Foreign and International Criminal Law, in organizing the Seminar on the Policy of Criminal Law in the Protection of Nature and the Environment in a European Perspective, held at Lauchhammer, Germany, from 25 to 29 April 1992,

Noting also with appreciation the ongoing study on environmental crime, sanctioning strategies and sustainable development undertaken jointly by the United Nations Interregional Crime and Justice Research Institute and the Australian Institute of Criminology,

1. Takes note of the conclusions of the Seminar on the Policy of Criminal Law in the Protection of Nature and the Environment in a European Perspective, contained in the annex to the present resolution;

---

* For the discussion, see chap. II.

12/ See United Nations publication, Sales No. E.91.IV.2, chap. I.

2. Requests the Secretary-General to consider the possibility of undertaking activities in the field of environmental crime in the United Nations crime prevention and criminal justice programme, in particular to include environmental crime as an issue for technical cooperation and, for that purpose, to establish, with input from Member States, a roster of experts from all regions in the field of environmental crime;

3. Requests the United Nations Interregional Crime and Justice Research Institute and the regional or associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice to assist the Secretary-General in this endeavour by sharing their expertise;

4. Calls upon Member States and the bodies concerned to continue their efforts to protect nature and the environment using, in addition to measures provided by administrative law and liability under civil law, measures in the field of national criminal law, and to provide requesting Member States with technical cooperation in the field of environmental crime.

Annex

CONCLUSIONS OF THE SEMINAR ON THE POLICY OF CRIMINAL LAW IN THE PROTECTION OF NATURE AND THE ENVIRONMENT IN A EUROPEAN PERSPECTIVE, HELD AT LAUCHHAMMER, GERMANY, FROM 25 TO 29 APRIL 1992

1. The existing state of the environment is serious and calls for efficient countermeasures throughout Europe at the national, supranational and international level. The environment as a whole and its component elements must be protected in such a way that:

(a) Existing damage will be eliminated or at least reduced (including restoration);

(b) Harm will be prevented;

(c) Risk will be minimized.

2. There should be enhanced recognition of environmental interests as special or particular legal interests. The necessity of using water, air, the soil and other natural elements to a certain extent, however, precludes a prohibition on every action affecting those environmental interests.

3. The objective of environmental protection requires an integrated approach employing a variety of instruments appropriate to influence conduct and to reduce burdens on the environment, ranging from public participation to the use of sanctions. Regulatory environmental administrative law still remains at the heart of state instruments for the protection of the environment. Other methods of environmental protection, e.g., economic incentives or the use of civil sanctions, will be important for many aspects of environmental protection. In addition, criminal law should play a flanking and supporting and, where appropriate, independent role.

4. The goal in using the threat of sanctions is not only to back up the enforcement of administrative rules, but also to protect environmental interests as such (qualifying them as penally protected interests). Here, too, criminal law can have a general and special preventive effect and may, by its moral stigma, heighten environmental awareness.

5. Substantive criminal law can play an autonomous and independent role in cases of serious attacks on the environment, including the endangerment of public health or of life or of serious bodily harm. Above and beyond this, the legislator cannot develop behavioural criteria under criminal law which are more stringent than those under administrative law. In that respect, environmental criminal law is closely linked to and dependent upon administrative law, which limits the effect of the former; nevertheless, this does not provide any reason for it not to be used in this context. That limitation is also dependent upon what differences exist in the approach and the means of the administration and the judiciary in the role which they play in protecting the environment. To reduce the risk of non-uniform application, emphasis should be placed on links with administrative regulations by comparison with links with administrative decisions.

6. Environmental criminal law should encompass all areas of the environment. It is up to the national legislators whether in this respect offences are developed which refer to the environment as a whole or the specific components thereof. The legislator should develop at least a common or similar offence in relation to water, air and soil pollution.

7. Offences should be differentiated according to their seriousness (with, as a consequence, a different range of sanctions). One factor is the division according to the state of mens rea between intentional and reckless or negligent acts. Another emerging possibility is the use of the concept of endangerment in addition to the traditional use of so-called result crimes in continental legislation.

8. It is not sufficient to use criminal law only to combat damage to other violations of environmental entities. Serious infringements of safety regulations, of other operator duties or of the administrator's preventive control interests can vastly increase the risk that hazards or damage will incur. Therefore it is justifiable to invoke criminal law to deal with the inappropriate handling of hazardous substances, goods and plants or the possible impairment of control interests. A distinction may be drawn between offences which require that the act:

(a) Creates a concrete or actual danger to environmental objects (so-called concrete endangerment offence);

(b) Occurs in a situation with a likelihood of danger (see the penal provision in the Vienna Convention on the Protection of Nuclear Materials; so-called potential endangerment offence);

(c) Covers a mode of behaviour which is typically dangerous for the environment (e.g., operation without the necessary permit of a plant classified in a list as typically dangerous; violation of an order prohibiting the running of a plant; illegal disposal or export of dangerous waste; so-called abstract endangerment offence).

9. Minor offences (especially non-severe violations of administrative rules) could, without a loss of efficiency, be sanctioned only by fines or, in countries where a distinction exists between criminal and administrative punitive sanctions, be classified as administrative violations (punishable by a non-criminal fine). In that respect the scope of criminal law could even be restricted.

10. In the context of moves towards the introduction of alternative or additional measures under criminal law in general, in comparison with the traditional use of fines and imprisonment, consideration should also be given to the possibility of using other measures (such as restoration of the status quo; imposition of obligations to improve the state of the environment; confiscation of proceeds from crime). The decision on such a variety of measures may be dependent on the use of those instruments by the administration and on their effect.

11. Support should be given to the extension of the idea of imposing (criminal or non-criminal) fines on corporations (or possibly even other measures) in Europe.

12. When using criminal law and creating new offences in the area of environmental protection, consideration should be given to the need for enforcement resources. In countries where prosecution is not undertaken by the administrative agencies themselves, the application (and effect) of environmental criminal law by the prosecuting authority and judiciary is to a great extent dependent on the use of the knowledge and experience of those agencies and upon their cooperation. In order to reduce conflicts of interests and to enhance the possibility of clearing up cases, legal rules or administrative guidelines for reporting offences by administrative agencies should be developed. Cooperation and coordination between the administrative and criminal agencies is essential. Special training and sufficient staffing should be provided. Further studies on improved measures for enforcement of existing environmental protection legislation should be undertaken.

13. The environment must be protected not only at the national but also at the international level. In this respect criminal law for the protection of the environment should also be developed at the international level.

14. Improvements should be made in the options available for prosecuting extraterritorial or transboundary criminal offences. In that respect:

(a) It should be possible to take jurisdiction in all countries over offences of a transboundary nature. Positive conflicts of jurisdiction should be solved. The problem of dealing under the criminal law with acts permitted in one State, and which produce harmful effects in another State where such acts are prohibited, should be examined in the light of the development of international and/or supranational law, including the use of bilateral and multilateral conventions or European Community regulations to develop common environmental standards;

(b) The extension of extraterritorial jurisdiction or the possible use or expansion of extradition should be considered.

15. European standards of environmental substantive criminal law should be developed. Following the encouragement for the harmonization of regional legislation given by the adoption of the resolution entitled "The role of criminal law in the protection of nature and environment" by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which was welcomed by the General Assembly at its forty-fifth session, the efforts of the Council of Europe in elaborating a convention and a recommendation on environmental offences should be supported. Such instruments should reflect the basic ideas expressed in paragraphs 6, 8 and 10 above. This will improve international cooperation and reduce the danger of dislocation through the evasion of stricter enforcement in one country by moving to another country.

16. European conventions applicable to international cooperation in the prosecution of offences (e.g., by extradition, mutual assistance, transfer of proceedings) should be adhered to and utilized.

DRAFT RESOLUTION IV

World Ministerial Conference on Organized Transnational Crime*

The Economic and Social Council,

Alarmed by the increasing dimensions and sophistication of organized transnational crime,

Recognizing the danger posed by organized transnational crime to all countries of the world,

Reaffirming the need for more intensified international cooperation to prevent and control organized transnational crime,

Convinced that effective and concerted action at all levels to prevent and control the activities of organized and transnational criminal groups represents an investment in the future for all societies,

Recognizing the need to intensify and coordinate efforts against organized transnational crime at the national and regional levels in order to ensure concerted and efficient global action,

Convinced that the regular exchange and dissemination of information can assist Governments in establishing adequate criminal justice systems and in devising effective strategies and policies against crime,

Convinced also that technical assistance in this field is indispensable,

---

* For the discussion, see chap. II.

Convinced further of the need to develop means of cooperating at the investigative and judicial levels,

Considering that the Crime Prevention and Criminal Justice Branch has at its disposal the knowledge and expertise required to assist Member States in their efforts against transnational and organized crime,

Recalling General Assembly resolutions 45/107, 45/121 and 45/123 of 14 December 1990, 46/152 of 18 December 1991 and 47/87 and 47/91 of 16 December 1992,

Recalling also that, in section IV of its resolution 1992/22, of 30 July 1992, the Council recognized the Commission on Crime Prevention and Criminal Justice as the principal policy-making body of the United Nations in crime prevention and criminal justice,

1. Requests the Secretary-General to organize, without real growth implications for the overall United Nations regular budget for the biennium 1994-1995, a World Ministerial Conference on Organized Transnational Crime, to be held in the third quarter of 1994, which should have the following objectives:

(a) To examine the problems and dangers posed by transnational and organized crime in the various regions of the world;

(b) To consider national legislation and to evaluate its adequacy to deal with the various forms of organized transnational crime and to identify appropriate guidelines for legislative and other measures to be taken at the national level;

(c) To identify the most effective forms of international cooperation for the prevention and control of organized transnational crime at the investigative, prosecutorial and judicial levels;

(d) To consider appropriate modalities and guidelines for the prevention and control of organized transnational crime at the regional and international levels;

(e) To consider whether it would be feasible to elaborate international instruments, including conventions, against organized transnational crime;

2. Accepts with appreciation the offer of the Government of Italy to act as host for the Conference;

3. Invites all Member States to be represented at the Conference at the highest possible level;

4. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its third session on the status of the preparations for the Conference.

DRAFT RESOLUTION V

Control of the proceeds of crime*

The Economic and Social Council,

Recalling its resolution 1992/22 of 30 July 1992, on the implementation of General Assembly resolution 46/152 concerning operational activities and coordination in the field of crime prevention and criminal justice, in section VI of which the Council determined that three priority themes should guide the work of the Commission, one of which included money-laundering,

Recalling also resolution 1/2 of 29 April 1992 of the Commission on Crime Prevention and Criminal Justice on control of the proceeds of crime, 13/

Aware that control of the proceeds of crime is an essential element in the struggle against organized and transnational crime,

Convinced that international action against organized and transnational crime requires, in addition to intensified law enforcement, concerted efforts to prevent and control the laundering of the proceeds of crime as an essential means of destroying criminal organizations,

Convinced also that effective control of the proceeds of crime requires concerted global action to curb the capacity of criminal organizations to transfer the proceeds of their illegal activities across national frontiers by taking advantage of gaps in international cooperation,

Convinced further that criminal organizations engage in a multitude of criminal activities generating illicit profits and that international action aimed at controlling the proceeds of crime can therefore only be effective if it takes into account all aspects of the problem,

Noting the efforts already undertaken by the Financial Action Task Force established by the heads of State or Government of the Group of Seven major industrial countries and the President of the Commission of the European Communities, as well as the efforts of the Council of Europe, the European Community and the Inter-American Drug Abuse Control Commission of the Organization of American States,

---

* For the discussion, see chap. II.

13/ See Official Records of the Economic and Social Council, 1992, Supplement No. 10 (E/1992/30), chap. I, sect. C.

Recalling the recommendations contained in the Global Programme of Action, adopted by the General Assembly at its seventeenth special session, 14/ on measures to be taken against the effects of money derived from, used in or intended for use in illicit drug trafficking, illegal financial flows and illegal use of the banking system,

Welcoming Commission on Narcotic Drugs resolution 5 (XXXVI) of 7 April 1993, 15/

1. Requests the Crime Prevention and Criminal Justice Branch:

(a) To continue studying the problem of controlling the proceeds of crime;

(b) To continue collecting relevant information on national legislation and its implementation;

(c) To consider identifying areas of interest to criminal organizations, with a view to evaluating the efficiency and effectiveness of measures taken to control the proceeds derived from criminal activities;

(d) To consider, in cooperation with the United Nations bodies concerned and other relevant entities, such as the Financial Action Task Force, the possibility of assisting Governments, at their request, in developing guidelines for the detection, investigation and prosecution of the laundering of the proceeds of crime and in providing information to assist financial institutions in detecting, monitoring and controlling suspicious transactions and in preventing the infiltration of the legitimate economy by the proceeds of crime;

(e) To elaborate appropriate training material for use in providing practical assistance to Member States at their request;

(f) To provide technical assistance to Member States, upon request, in drafting, revising and implementing relevant legislation, in organizing special investigation teams and in training law enforcement, investigative, prosecutorial and judicial personnel;

2. Invites the Crime Prevention and Criminal Justice Branch to cooperate closely with the United Nations International Drug Control Programme in matters related to the control of the proceeds of crime;

14/ General Assembly resolution S-17/2, annex.

15/ See Official Records of the Economic and Social Council, 1993, Supplement No. 9 (E/1993/29), chap. XI.

3. Welcomes with appreciation the initiative of the Government of Italy and the International Scientific and Professional Advisory Council to organize, in cooperation with financial institutions, at the international and national levels, of the various countries that have dealt with the problem of controlling the proceeds of crime, and under the auspices of the Crime Prevention and Criminal Justice Branch, the International Conference on Laundering and Controlling Proceeds of Crime: a Global Approach, to be held in Italy in June 1994.

DRAFT RESOLUTION VI

Strengthening of the United Nations crime prevention and criminal justice programme*

The Economic and Social Council,

Recalling General Assembly resolution 46/152 of 18 December 1991, in which the Assembly requested the Secretary-General to give a high level of priority to the activities of the United Nations crime prevention and criminal justice programme,

Recalling also General Assembly resolution 47/91 of 16 December 1992,

Recalling further its resolution 1992/22 of 30 July 1992, in section VI of which it accorded high priority to the United Nations crime prevention and criminal justice programme and requested an appropriate share of the overall resources of the United Nations for the programme,

Convinced that the Crime Prevention and Criminal Justice Branch can only be effective if it is provided with resources that are commensurate with its requirements and that allow it to implement its mandates and to respond in a timely and efficient manner to the increasing requests of Member States for its services,

Taking note of the report of the Secretary-General on the progress made in the implementation of Economic and Social Council resolution 1992/22, 16/

Deeply concerned about the delay in the implementation of General Assembly resolutions 46/152 and 47/91 and Council resolution 1992/22, with respect to strengthening, as resources permit, the United Nations crime prevention and criminal justice programme and upgrading the Crime Prevention and Criminal Justice Branch into a division,

---

* For the discussion, see chap. II.

16/ E/1993/10.

1. Reaffirms the importance of the United Nations crime prevention and criminal justice programme and the crucial role it has to play in promoting international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality, and in enabling Member States to achieve the goals of preventing crime within and among States and of improving the response to crime;

2. Reaffirms also the importance of the role of the Commission on Crime Prevention and Criminal Justice as the principal policy-making body for the activities of the United Nations in the field of crime prevention and criminal justice;

3. Reaffirms further its decision, contained in its resolution 1992/22, section V, to accord high priority to the United Nations crime prevention and criminal justice programme, in accordance with General Assembly resolution 46/152, and to request an appropriate share of the overall resources of the United Nations for the programme;

4. Requests the Secretary-General, as a matter of urgency, to give effect to General Assembly resolutions 46/152 and 47/91 and to Council resolution 1992/22 by strengthening the Crime Prevention and Criminal Justice Branch, by providing it with the resources required for the full implementation of its mandates and by upgrading it into a division, headed by a Director, if necessary by reallocating existing resources;

5. Takes note of the proposed programme of work in crime prevention and criminal justice for the biennium 1994-1995, 17/ submitted to the Commission on Crime Prevention and Criminal Justice at its second session, and requests the Secretary-General to reflect it in the preparation of the programme budget for the biennium 1994-1995, as modified in accordance with decisions of the Commission;

6. Invites the Committee for Programme and Coordination, the Advisory Committee on Administrative and Budgetary Questions and the General Assembly to ensure proper follow-up to the proposals of the Secretary-General, pursuant to the present resolution;

7. Requests the Secretary-General to report to the Economic and Social Council at its substantive session of 1994, through the Commission on Crime Prevention and Criminal Justice, on progress made in the implementation of Council resolution 1992/22 and the present resolution.

17/ E/CN.15/1993/CRP.5.

DRAFT RESOLUTION VII

Implementation of General Assembly resolutions 46/152 and 47/91 and Economic and Social Council resolution 1992/22, concerning crime prevention and criminal justice*

The Economic and Social Council,

Bearing in mind General Assembly resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme,

Recalling General Assembly resolution 45/109 of 14 December 1990 on computerization of criminal justice,

Bearing in mind General Assembly resolution 46/120 of 17 December 1991 on human rights in the administration of justice,

Also bearing in mind General Assembly resolution 47/91 of 16 December 1992 on crime prevention and criminal justice,

Further bearing in mind its resolution 1992/22 of 30 July 1992, in section VI of which it determined the three priority themes that should guide the work of the Commission on Crime Prevention and Criminal Justice in the development of a detailed programme,

Recalling that in section VII of its resolution 1992/22, the Council, inter alia, decided that the Commission should include in its agenda, beginning with its second session, a standing item on the existing United Nations standards and norms in the field of crime prevention and criminal justice,

Recalling also its resolution 1990/21 of 24 May 1990 on the implementation of United Nations standards and norms in crime prevention and criminal justice,

Taking note of the report of the Pre-sessional Working Group on Implementation of United Nations Standards and Norms in Crime Prevention and Criminal Justice of the former Committee on Crime Prevention and Control, 18/,

Also taking note of the recommendations of the Meeting of Experts for the Evaluation of Implementation of United Nations Norms and Guidelines in Crime Prevention and Criminal Justice, 19/

---

* For the discussion, see chap. IV.

18/ E/AC.57/1990/WG.2.

19/ E/CN.15/1992/4/Add.4

Recalling section I of its resolution 1992/22, entitled "Strengthening the operational capacity of the United Nations crime prevention and criminal justice programme, especially operational activities and advisory services",

Conscious that preventing and controlling crime is a growing challenge for most Member States and the international community as a whole,

Convinced that developing crime prevention and criminal justice skills is necessary to strengthen the rule of law and to promote democracy,

Alarmed by the negative impact of criminal activities on the development process in many countries, particularly in developing countries and countries in transition,

Bearing in mind the urgent need of the least developed countries for assistance, particularly in training crime prevention and criminal justice officials and practitioners,

Conscious of the relationship between national crime and more sophisticated forms of transnational criminal activities,

Convinced that effective action against crime requires increased technical cooperation activities at the international level, in order to provide appropriate assistance to Member States whose capacity to deal with crime-related issues is insufficient and to tackle serious forms of international criminal activity, such as transnational and organized crime,

Recalling that in General Assembly resolution 46/152, the Assembly emphasized the practical orientation of the United Nations crime prevention and criminal justice programme and decided that the programme should provide States with practical assistance, such as data collection, information and experience sharing and training, in order to achieve the goals of preventing crime and improving the response to it,

Concerned by the disparity between the need for technical assistance and the resources available for the United Nations crime prevention and criminal justice programme,

Recalling that in section VI of its resolution 1992/22, the Council determined that the majority of programme resources should be concentrated on the provision of training, advisory services and technical cooperation in a limited number of areas of recognized need, taking into account the need for technical assistance to developing countries, and that, in implementing special operational activities and advisory services in situations of urgent need, the Secretariat should place major emphasis on serving as a broker and clearing-house,

Convinced that the United Nations crime prevention and criminal justice programme should provide the necessary operational perspective to Member States, thus assisting them in modernizing their criminal justice systems, *Aware* that the introduction of modern criminal justice techniques requires education and training of criminal justice personnel,

Mindful that computer-assisted collection, management and distribution of crime prevention and criminal justice information are of growing importance to the effective and humane administration of criminal justice systems,

Expressing its appreciation to the Bureau of Justice Statistics of the United States Department of Justice and the State University of New York at Albany, United States of America, for their strong support in the development of the United Nations Criminal Justice Information Network,

Welcoming the contributions to technical cooperation made on a multilateral or bilateral basis by a number of Governments and institutions and noting in this regard that the United Nations Crime Prevention and Criminal Justice Fund has received contributions from the Governments of France, Italy and Tunisia and from the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, and the Asia Crime Prevention Foundation,

Recalling resolution 1/2 of 29 April 1992 of the Commission on Crime Prevention and Criminal Justice, 20/ Commission on Narcotic Drugs resolutions 1 (XXXV), 4 (XXXV) and 11 (XXXV) of 15 April 1992 21/ and Commission on Human Rights resolution 1992/31 of 18 February 1992, 22/

Reaffirming that the prevention and control of crime require effective, concerted and multidisciplinary action at the national, regional and international levels,

Convinced that the scope of international cooperation in all fields of crime prevention and criminal justice should be extended and increased as a matter of utmost importance and that technical assistance programmes in crime prevention and criminal justice should be expanded and strengthened as a matter of urgency,

Alarmed by the fact that large financial profits derived from criminal activity may enable transnational criminal organizations to penetrate, infect and corrupt the structure of Governments, legitimate commercial activities and society at large, thereby impeding economic and social development, hampering law and order, undermining the foundation of States and preventing good governance,

---

20/ See *Official Records of the Economic and Social Council, 1992, Supplement No. 10* (E/1992/30), chap. I, sect. C.

21/ Ibid., *Supplement No. 5* (E/1992/25), chap. XI, sect. A.

22/ Ibid., *Supplement No. 2* (E/1992/22), chap. II, sect. A.

Noting, with respect to priority themes, the need to pay particular attention to such issues as organized crime in all its manifestations, money-laundering, the role of criminal law in the protection of the environment, the protection of cultural property from theft and smuggling, domestic violence, the computerization of the administration of criminal justice, juvenile delinquency and street crime,

I. REVIEW OF PRIORITY THEMES

1. Reaffirms the priority themes formulated by the Commission on Crime Prevention and Criminal Justice at its first session and contained in Economic and Social Council resolution 1992/22, section VI;

2. Invites Member States to prepare and circulate in advance of each session proposals on specific objectives and activities, as recommended in Commission resolution 1/1 of 29 April 1992 on strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme, 20/ underlining the importance for the third and subsequent sessions of the Commission of implementing the mechanisms, referred to in paragraphs 32-35 of the annex to that resolution, for determining the objectives and the specific activities of the programme.

II. OPERATIONAL ACTIVITIES OF THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE PROGRAMME

1. Welcomes with appreciation the efforts undertaken by the Secretariat to carry out operational activities, notably setting up projects to be implemented in developing countries and countries in transition and participating in and contributing to the work of peace-keeping operations, such as those of the United Nations Transitional Authority in Cambodia and the United Nations Protection Force;

2. Notes with appreciation the cooperation between the Crime Prevention and Criminal Justice Branch and other United Nations entities, such as the United Nations International Drug Control Programme, the Division for the Advancement of Women and the Centre for Human Rights of the Secretariat, and recommends that such cooperation be expanded and intensified;

3. Also notes with appreciation the support provided by some Member States in organizing training seminars, inter alia, by providing funding and in-kind expertise;

4. Requests the Secretary-General to continue elaborating, in accordance with the programme priorities, training curricula that could be implemented in Member States upon request and adapted to particular national or regional conditions and requirements, using new and existing materials such as manuals and other publications, United Nations guidelines, minimum rules and model treaties on crime prevention and criminal justice;

5. Also requests the Secretary-General to develop basic courses on United Nations norms and guidelines for peace-keeping, peace-building and emergency mission personnel and their national counterparts, designed to restore or upgrade criminal justice systems and to respond rapidly to emergent requests in such missions;

6. Further requests the Secretary-General to ensure the involvement of the Crime Prevention and Criminal Justice Branch in the planning of such missions;

7. Further requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its third session, on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme, including appropriate mechanisms for the mobilization of resources;

8. Further requests the Secretary-General to strengthen the institutional capacity of the United Nations crime prevention and criminal justice programme by providing the Secretariat with adequate human and financial resources, if necessary by reallocating existing resources, as well as by means of voluntary contributions, to enable it to elaborate, execute and evaluate operational activities and advisory services upon request by Member States;

9. Further requests the Secretary-General to consider making available the necessary resources for the participation of the least developed countries in the sessions of the Commission on Crime Prevention and Criminal Justice;

10. Invites Member States and intergovernmental and non-governmental organizations to contribute to the United Nations Crime Prevention and Criminal Justice Fund in order to augment the implementation of technical assistance projects;

11. Recommends to Member States that they integrate crime prevention and criminal justice components into their priority areas for development, so as to better address crime-related issues in the context of national development;

12. Reaffirms the importance of technical cooperation among developing countries;

13. Recognizes the relevance of close cooperation between the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice and the Crime Prevention and Criminal Justice Branch to the development of technical assistance and research projects at the regional and interregional levels, taking into account regional characteristics and traditions of the various criminal justice systems.

III. UNITED NATIONS STANDARDS AND NORMS IN CRIME PREVENTION AND CRIMINAL JUSTICE

1. *Reaffirms* the importance of United Nations standards, norms and guidelines in crime prevention and criminal justice;

2. *Underlines* the need for further coordination and concerted action in translating those standards into practice;

3. *Invites* the Commission on Crime Prevention and Criminal Justice to focus on the promotion of the use and application of United Nations standards, norms and guidelines in crime prevention and criminal justice, while recognizing the social, cultural and economic conditions of Member States;

4. *Invites* Governments to pay due attention to United Nations standards, norms and guidelines in crime prevention and criminal justice and to enhance their widest possible dissemination;

5. *Requests* the Secretary-General to ensure the widest possible dissemination of the texts of the standards contained in the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*, [23] which has been published only in English, calls for the reprint of the *Compendium* in English and its publication in the other five official languages of the United Nations;

6. *Recognizes* the important role that the United Nations Interregional Crime and Justice Research Institute and the institutes associated or affiliated with the United Nations and non-governmental organizations play in promoting the use and application of the United Nations standards and norms in the administration of justice;

7. *Requests* the Secretary-General:

(a) To assist Member States, at their request, in implementing existing United Nations standards in crime prevention and criminal justice;

(b) To strengthen and coordinate activities in this field, including advisory services, training programmes and fellowships, with a view to undertaking joint programmes and developing collaborative mechanisms;

(c) To commence without delay a process of information-gathering to be undertaken by means of surveys, such as reporting systems, and contributions from other sources, initially paying attention to the United Nations standards, norms and guidelines listed in paragraph 8 (a) below; the surveys should be conducted over a two-year period in order to enable Member States to have sufficient time to provide replies; the results of the first surveys should be considered at the earliest possible session of the Commission;

---

[23] United Nations publication, Sales No. E.92.IV.1.

8. Requests the Commission to establish, at its third session, an open-ended in-sessional working group, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council [24] and subject to the consideration of financial implications, in order to discuss, inter alia, the following issues:

(a) The role of the United Nations in promoting the use and application of the following standards, norms and guidelines, with the understanding that this selection does not imply any priority over other standards, norms and guidelines and is subject to review at future sessions of the Commission on Crime Prevention and Criminal Justice:

(i) The Standard Minimum Rules for the Treatment of Prisoners; [25]

(ii) The Code of Conduct for Law Enforcement Officials, [26] together with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; [27]

(iii) The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power; [28]

(iv) The Basic Principles on the Independence of the Judiciary; [29]

(b) The evaluation of the reporting system and other sources of information;

(c) Measures to improve the dissemination of information, education and technical assistance to enhance their use and application;

9. Commends the World Conference on Human Rights and its Preparatory Committee for bearing in mind the existence of important United Nations standards and norms in the administration of justice;

10. Calls upon the Commission on Crime Prevention and Criminal Justice, at its third session, to pay due attention to the results of the World Conference on Human Rights, to be held at Vienna in June 1993, as far as crime prevention and criminal justice issues are concerned.

---

[24] E/5975/Rev.1.

[25] United Nations publication, Sales No. 1956.IV.4, annex I.A.

[26] General Assembly resolution 34/169, annex.

[27] United Nations publication, Sales No. E.91.IV.2, chap. I, sect. B.2, annex.

[28] General Assembly resolution 40/34, annex.

[29] United Nations publication, Sales No. E.86.IV.1, chap. I, sect. D.2, annex.

IV. CRIME PREVENTION AND CRIMINAL JUSTICE INFORMATION MANAGEMENT

A. Collection of information

1. Takes note of the report of the Secretary-General on the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations and on coordination of activities with other United Nations bodies, [30] the ongoing activities of the Secretariat concerning the Fourth United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies, and other initiatives under way to acquire, process and distribute crime prevention and criminal justice data for the benefit of Member States and criminal justice professionals;

2. Reaffirms the usefulness of these information activities in crime prevention and criminal justice policy development and programme planning;

3. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its third session, on progress made on the Fourth and Fifth Surveys of Crime Trends and Operations of Criminal Justice Systems, and other initiatives under way to acquire, process and distribute crime prevention and criminal justice data;

4. Strongly encourages Governments to continue to reply promptly to requests of the Secretary-General for crime prevention and criminal justice data in order to ensure that those data can be processed and provided to all Member States and other interested parties in a timely and efficient manner.

B. Management of information

1. Requests the Secretary-General to continue and to intensify efforts directed at the modernization of criminal justice techniques and administration, with special attention to the needs of developing countries, including the introduction of compatible information technology to facilitate the administration of criminal justice and to strengthen practical cooperation on crime control between Member States;

2. Encourages Member States, the private sector and criminal justice professionals to exchange proposals, information on projects and innovations enhancing criminal justice operations through the Crime Prevention and Criminal Justice Branch.

---

[30] E/CN.15/1993/2.

C. Distribution of information

1. *Requests* the Secretary-General to allocate the necessary services for the transfer of the management and daily operations of the United Nations Criminal Justice Information Network to the Crime Prevention and Criminal Justice Branch;

2. *Invites* Member States to consider the provision of extrabudgetary resources, including but not restricted to the secondment of computer-programming professionals with criminal justice experience, to the Secretariat in order to assist in the orderly transfer of the United Nations Criminal Justice Information Network, and to provide support for its further logistical and substantive development;

3. *Requests* the Secretary-General, as resources permit:

(a) To strengthen and expand the clearing-house functions of the Crime Prevention and Criminal Justice Branch;

(b) To organize training courses that would enable criminal justice professionals, in particular those in developing countries, to acquaint themselves with the services of the United Nations Criminal Justice Information Network;

(c) To establish a support system for developing countries that would, among other things, ensure that basic costs connected with the provision of the necessary modalities, including the costs of membership in the United Nations Criminal Justice Information Network and transmission costs, are covered;

(d) To report to the Commission on Crime Prevention and Criminal Justice, at its third session, on progress made in the improvement of computerization in criminal justice management, with emphasis on strengthening national capacities for the collection, collation, analysis and utilization of the data.

V. COOPERATION BETWEEN THE CRIME PREVENTION AND CRIMINAL JUSTICE BRANCH AND OTHER RELEVANT ENTITIES

1. *Welcomes with appreciation* Commission on Narcotic Drugs resolution 10 (XXXVI) of 7 April 1993 [31] and Commission on Human Rights resolution 1993/41 of 5 March 1993; [32]

2. *Invites* the various relevant entities of the United Nations system, including but not limited to the Office of Legal Affairs, the Department for

---

[31] See *Official Records of the Economic and Social Council, 1993, Supplement No. 9* (E/1993/29), chap. XI.

[32] Ibid., *Supplement No. 3* (E/1993/23), chap. II, sect. A.

Policy Coordination and Sustainable Development, the Department for Development Support and Management Services, the Department for Economic and Social Information and Policy Analysis, the United Nations International Drug Control Programme, the Division for the Advancement of Women, the regional commissions, the Centre for Human Rights and the United Nations Environment Programme of the Secretariat, the United Nations Children's Fund, the United Nations Development Programme, the World Health Organization and the United Nations Industrial Development Organization, to cooperate with the Crime Prevention and Criminal Justice Branch and to extend to it their support and assistance in implementing its mandates;

3. Decides to continue its close cooperation in this field with the Commission on Human Rights, the Commission for Social Development, the Commission on Narcotic Drugs, the Commission on the Status of Women and the specialized agencies in order to increase the efficiency and effectiveness of United Nations activities in areas of mutual interest and concern and to ensure coordination and avoidance of duplication;

4. Recommends that the Secretary-General examine the possibility of resorting, when appropriate, to the expertise available in, or accessible through, the Crime Prevention and Criminal Justice Branch in considering the establishment of an international criminal court and the draft code of crimes against the peace and security of mankind;

5. Invites Member States to ensure that their efforts and arrangements aimed at cooperation and coordination at the bilateral and regional levels take into account the relevant activities and work of the United Nations crime prevention and criminal justice programme;

6. Requests the Secretary-General to encourage and facilitate cooperation and coordination in accordance with the present resolution and to report on the subject to the Commission on Crime Prevention and Criminal Justice at its third session.

DRAFT RESOLUTION VIII

Preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*

The Economic and Social Council,

Considering that, pursuant to General Assembly resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders is to be convened in 1995,

Bearing in mind General Assembly resolutions 32/59 and 32/60 of 8 December 1977, 35/171 of 15 December 1980 and 45/121 of 14 December 1990, in which the Assembly noted the importance of the United Nations congresses in the field of crime prevention and criminal justice,

Acknowledging the new role of the congresses stipulated in paragraph 29 of the Statement of Principles and Programme of Action annexed to General Assembly resolution 46/152,

Emphasizing the importance of undertaking all the preparatory activities for the Ninth Congress in a timely and concerted manner,

Recalling its resolution 1992/24 of 30 July 1992, in which it requested the Secretary-General to prepare a discussion guide for the regional preparatory meetings for the Ninth Congress, to be considered by the Commission on Crime Prevention and Criminal Justice at its second session, including proposals for action-oriented research and demonstration workshops related to the topics selected for the Ninth Congress,

Recalling also that, in the same resolution, it requested the Secretary-General to prepare draft rules of procedure for the Ninth Congress, taking into account, inter alia, the need for all draft resolutions on the selected topics to be submitted well in advance of the Ninth Congress,

Aware of the role played in crime prevention and criminal justice by the dissemination to the public of relevant information and of the impact on society at large of the mass media, at both the national and international levels,

Considering that, in view of the internationalization of new forms of criminality, the criminal justice community should work hand in hand with the mass media to attain an optimal level of dissemination of reliable and timely information on crime prevention,

Aware of the important work to be accomplished by the regional preparatory meetings for the Ninth Congress,

---

* For the discussion, see chap. V.

Having considered the report of the Secretary-General on progress made in the preparations for the Ninth Congress, 33/

1. *Takes note with appreciation* of the invitation of the Government of Uganda to act as host for the African Regional Preparatory Meeting for the Ninth Congress on the Prevention of Crime and the Treatment of Offenders;

2. *Approves* the following provisional agenda for the Ninth Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its second session:

1. Opening of the Congress.
2. Organizational matters.
3. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme.
4. Action against national and transnational economic and organized crime, and the role of criminal law in the protection of the environment: national experiences and international cooperation.
5. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts, corrections; and the role of lawyers.
6. Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives.
7. Adoption of the report of the Congress.

3. *Approves also* the rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders, as recommended by the Commission on Crime Prevention and Criminal Justice and contained in the annex to the present resolution;

4. *Takes note* of the discussion guide for the regional preparatory meetings for the Ninth Congress, together with its addendum, approved by the Commission at its second session;

5. *Endorses* the programme of work for the Ninth Congress, including the holding of six workshops on the following topics:

(a) Extradition and international cooperation: exchange of national experiences and implementation of relevant principles in national legislation (one day);

33/ E/CN.15/1993/7 and Corr.1.

(b) Mass media and crime prevention (one day);

(c) Urban policy and crime prevention (one day);

(d) Prevention of violent crime (one day);

(e) Environmental protection at the national and international levels: potentials and limits of criminal justice (two days);

(f) International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information (two days);

6. _Notes_ that all organizational work for the above-mentioned workshops will be coordinated by the Crime Prevention and Criminal Justice Branch;

7. _Accepts with appreciation_ the initiatives of the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice to assist the Secretariat in convening the workshops; [34]

8. _Invites_ donor countries to cooperate with developing countries to ensure the full participation of the latter in the workshops;

9. _Decides_ to include within the framework of the plenary of the Ninth Congress a one-day discussion on experiences in and practical measures aimed at combating corruption involving public officials;

10. _Invites_ Member States, non-governmental organizations and other relevant entities to support financially, organizationally and technically the preparations for the workshops;

11. _Takes note_ of the timetable for the five regional preparatory meetings for the Ninth Congress contained in the report of the Secretary-General; [35]

12. _Recommends_ that adequate provision be made for the attendance of the relevant regional commissions at the third and fourth sessions of the Commission and at the Ninth Congress;

13. _Requests_ the Secretary-General:

(a) To undertake the necessary logistic steps, in collaboration with Member States and the network of crime prevention institutes, to mobilize the participation of relevant parties in the preparations for all six workshops;

---

[34] E/CN.15/1993/CRP.1, paras. 66-75.

[35] E/CN.15/1993/7 and Corr.1, para. 5.

(b) To allocate, in the context of the proposed programme budget for the biennium 1994-1995, the necessary resources for the organization of the five regional preparatory meetings for the Ninth Congress and of the Ninth Congress itself;

(c) To make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Ninth Congress and the Ninth Congress itself;

(d) To provide the necessary additional resources, including temporary assistance, to the United Nations Office at Vienna, in order to enable its Crime Prevention and Criminal Justice Branch to undertake, in an effective and timely manner, all preparatory and follow-up activities for the Ninth Congress;

(e) To provide resources, as required, to ensure a wide and effective programme of public information related to the preparations for the Ninth Congress and the Ninth Congress itself;

(f) To invite 20 expert consultants to participate in the Ninth Congress, at the expense of the United Nations, as was done for the previous three United Nations congresses on the prevention of crime and the treatment of offenders, thus ensuring that adequate expertise is provided to the Ninth Congress by each region for each substantive topic;

(g) To appoint, in accordance with the established practice for the congresses, a Secretary-General of the Ninth Congress;

14. Decides that the Ninth Congress should be held early in 1995 for a period of ten working days and two days of pre-Congress consultations;

15. Encourages Governments to undertake preparations for the Ninth Congress by all appropriate means, with a view to formulating national position papers;

16. Invites the Commission to accord high priority, at its third session, to the preparations for the Ninth Congress and to ensure that all necessary organizations and substantive arrangements are made in good time.

Annex

DRAFT RULES OF PROCEDURE FOR UNITED NATIONS CONGRESSES ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

I. REPRESENTATION AND CREDENTIALS

Composition of delegations

Rule 1

The delegation of each State participating in the Congress shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Designated representatives

Rule 2

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Submission of credentials

Rule 3

1. The credentials of representatives shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

2. The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary of the Congress, if possible not later than one week before the opening of the Congress. Any later change in the composition of delegations shall also be submitted to the Secretary of the Congress.

Credentials Committee

Rule 4

1. There shall be a Credentials Committee of nine members appointed by the Congress on the proposal of the President. Its membership shall, as far as possible, be the same as that of the Credentials Committee of the General Assembly of the United Nations at its preceding session.

2. The Credentials Committee shall itself elect from among the representatives of participating States a Chairman and such other officers as it considers necessary.

3. The Credentials Committee shall examine the credentials of representatives and report to the Congress.

Provisional participation in the Congress

Rule 5

Pending a decision of the Congress upon their credentials, representatives shall be entitled to participate provisionally in the Congress.

II. OFFICERS

Elections

Rule 6

The Congress shall elect from among the representatives of participating States a President, 24 Vice-Presidents and a Rapporteur-General, as well as a Chairman for each of the committees provided for in rule 45. These officers shall constitute the General Committee and shall be elected on the basis of equitable geographical distribution.

Acting President

Rule 7

1. If the President finds it necessary to be absent from a meeting or any part thereof, he or she shall designate one of the Vice-Presidents as acting President.

2. A Vice-President acting as President shall have the same power and duties as the President.

Replacement of the President

Rule 8

If the President is unable to perform his or her functions, a new President shall be elected.

Voting rights of the President

Rule 9

The President, or a Vice-President acting as President, shall not vote, but shall designate another member of his or her delegation to exercise that function.

III. GENERAL COMMITTEE

Chairman

Rule 10

The President or, in his or her absence, one of the Vice-Presidents designated by the President shall serve as Chairman of the General Committee.

Substitute members

Rule 11

1. If the President or a Vice-President or the Rapporteur-General is absent from a meeting of the General Committee, he or she may designate a member of his or her delegation to act as substitute.

2. In case of absence, the Chairman of a committee shall designate another officer of the committee or, if none is available, a member thereof. However, such a substitute shall not have the right to vote if he or she is of the same delegation as another member of the General Committee.

Functions

Rule 12

1. In addition to carrying out other functions provided in these rules, the General Committee shall assist the President in the general conduct of the business of the Congress and, subject to decisions of the Congress, shall ensure the coordination of its work.

2. At the request of the Chairman of a committee, the General Committee may adjust the allocation of work to the committees.

IV. SECRETARIAT

Duties of the Secretary-General

Rule 13

1. The Secretary-General of the United Nations shall appoint a Secretary-General and a Secretary of the Congress and shall provide the staff required by the Congress and its subsidiary organs.

2. The Secretary-General of the Congress or his or her representative shall act in that capacity in all meetings of the Congress and its subsidiary organs. He or she shall direct the staff assigned to perform services in connection with the Congress.

Duties of the secretariat

Rule 14

The secretariat of the Congress shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate, reproduce and distribute the documents of the Congress;

(c) Publish and circulate the report and the official documents of the Congress;

(d) Make and arrange for the keeping of sound recordings of meetings;

(e) Arrange for the custody and preservation of the records of the Congress in the archives of the United Nations;

(f) Generally perform all other work that the Congress may require.

Statements by the secretariat

Rule 15

The Secretary-General of the Congress or any member of the secretariat designated for that purpose may at any time make either oral or written statements concerning any question under consideration.

V. CONDUCT OF BUSINESS

Quorum

Rule 16

The President may declare a meeting open and permit the debate to proceed when representatives of at least one third of the States participating in the Congress are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

General powers of the President

Rule 17

1. In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall preside at the plenary meetings of the Congress, declare the opening and closing of each such meeting, direct the discussions, accord the right to speak, put questions to the vote and announce decisions. He or she shall rule on points of order and, subject to these rules, have complete control of the proceedings and over the maintenance of order. The President may propose to the Congress the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times participants may speak on a question, the adjournment or closure of the debate, and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his or her functions, remains under the authority of the Congress.

Points of order

Rule 18

Subject to rule 38, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the ruling of the President shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 19

1. No one may address the Congress without having previously obtained the permission of the President, who shall, subject to rules 17, 19 and 22-25, call upon speakers in the order in which they signify their desire to speak. The Secretary of the Congress shall be in charge of drawing up a list of such speakers.

2. Debate shall be confined to the question before the Congress and the President may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

3. The Congress may limit the time allowed to speakers and the number of times participants may speak on a question; a motion to set such limits shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him or her to order without delay.

Precedence

Rule 20

The Chairman or another representative of a subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by that organ.

Closing of the list of speakers

Rule 21

During the course of a debate the President may announce the list of speakers and, with the consent of the Congress, declare the list closed. When there are no more speakers on the list, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 25.

Right of reply

Rule 22

The right of reply shall be accorded by the President to a representative of a State participating in the Congress who requests it. Any other representative may be granted the opportunity to make a reply. Such replies should be as brief as possible.

Suspension or adjournment of the meeting

Rule 23

Subject to rule 38, a representative may at any time move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote.

Adjournment of debate

Rule 24

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of and two against the motion, after which the motion shall be immediately put to the vote.

Closure of debate

Rule 25

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his or her wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote.

Order of motions

Rule 26

Subject to rule 18, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate;

(d) To close the debate.

Items for consideration

Rule 27

The Economic and Social Council, on the recommendations of the Commission on Crime Prevention and Criminal Justice, shall approve the provisional agenda for the Congress. The Congress shall adopt the provisional agenda and consider the items therein.

Draft resolutions on topics selected for consideration by the Congress

Rule 28

1. Draft resolutions on items of the provisional agenda for the Congress shall be submitted to the Secretary-General of the Congress four months prior to the Congress, and distributed to all Member States not later than two months prior to the Congress.

2. Draft resolutions are proposals requiring the adoption of a decision on the substantive items of the agenda.

Other proposals and amendments

Rule 29

Substantive amendments shall be introduced in writing and handed to the Secretary of the Congress, who shall circulate copies to all delegations in the official languages of the Congress. Unless the Congress decides otherwise, substantive amendments shall be discussed or put to the vote no earlier than twenty-four hours after copies in the official languages of the Congress have been circulated to the delegations.

Rule 30

1. On a written proposal of one or several representatives of Member States submitted at the time of the consideration of the agenda, the Congress may decide, by a two-thirds majority of the representatives present and voting, on the inclusion of other items in its agenda on urgent and important matters.

2. Draft resolutions pertaining to items on the agenda, as defined in paragraph 1 above, shall be submitted to the Secretary of the Congress for distribution in the official languages to the representatives not later than forty-eight hours prior to their consideration.

Withdrawal of proposals and motions

Rule 31

A proposal or motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or motion thus withdrawn may be reintroduced by any representative.

Decisions on competence

Rule 32

Subject to rule 18, any motion calling for a decision on the competence of the Congress to discuss any matter or to adopt a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal in question.

Reconsideration

Rule 33

When a proposal or motion has been adopted or rejected, it may not be reconsidered unless the Congress, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the matter shall be immediately put to the vote.

VI. VOTING

Voting rights

Rule 34

Each State represented at the Congress shall have one vote.

Majority required

Rule 35

1. Unless the Congress decides otherwise, decisions of the Congress on all matters of substance shall require a two-thirds majority of the representatives present and voting.

2. Unless the Congress decides otherwise, and except as otherwise provided in these rules, decisions of the Congress on all other matters shall be taken by a simple majority of the representatives present and voting. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

3. For the purpose of these rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Methods of voting

Rule 36

Except as provided in rule 43, the Congress shall normally vote by show of hands, but any representative may request a roll-call vote, which shall then be taken in the English alphabetical order of the names of the States participating in the Congress, beginning with the one whose name is drawn by lot by the President. The name of each participating State shall be called in all roll-call votes, and its representative shall reply "yes", "no" or "abstention".

Explanation of vote

Rule 37

Representatives may make brief statements consisting solely of an explanation of their votes, either before the voting has commenced or after it has been completed. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon unless it has been amended. The President may limit the time to be allowed for such explanations.

Conduct during voting

Rule 38

The President shall announce the commencement of voting, after which no representative shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

Division of proposals

Rule 39

A representative may move that parts of a proposal shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. If the motion for division is adopted, those parts of the proposal that are approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Amendments

Rule 40

An amendment is a proposal that does no more than add to, delete from or revise part of another proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Order of voting on amendments

Rule 41

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Congress shall vote first on the amendment furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Order of voting on proposals

Rule 42

If two or more proposals, other than amendments, relate to the same question, they shall, unless the congress decides otherwise, be voted on in the order in which they were submitted. The Congress may, after each vote on a proposal, decide whether to vote on the next proposal.

Elections

Rule 43

All elections shall be held by secret ballot, unless the Congress decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 44

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

VII. SUBSIDIARY ORGANS

Committees, subcommittees and working groups

Rule 45

There shall be as many committees of the whole as may be approved from time to time by the Economic and Social Council on the recommendation of the Commission on Crime Prevention and Criminal Justice. Each committee may set up subcommittees and working groups, to the extent permitted by available facilities.

Officers

Rule 46

1. In addition to a Chairman elected by the Congress pursuant to rule 6, each committee shall itself elect a Vice-Chairman and a Rapporteur from among the representatives of participating States.

2. Subcommittees and working groups shall each elect a Chairman and no more than two Vice-Chairmen from among the representatives of participating States.

Applicable rules

Rule 47

The rules contained in chapters II, IV, V and VI above shall be applicable, *mutatis mutandis*, to the proceedings of subsidiary organs, except that:

(a) The Chairmen of subsidiary organs other than the committees referred to in rule 45 may exercise the right to vote;

(b) A majority of the representatives participating in any subsidiary organs of limited membership shall constitute a quorum;

(c) Decisions of subsidiary organs shall be taken by a majority of the representatives present and voting, except that reconsideration of any such decision shall require the majority established by rule 33.

VIII. LANGUAGES AND DOCUMENTS

Official languages

Rule 48

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Congress.

Interpretation

Rule 49

1. Speeches made in an official language of the Congress shall be interpreted into the other such languages.

2. Statements may be made in a language other than an official language of the Congress if the speaker provides for interpretation into one of the official languages. Interpretation into the other official languages of the Congress by interpreters of the secretariat may be based on the interpretation given in the first such language.

Languages of official documents

Rule 50

Official documents shall be made available in the official languages of the Congress.

Sound recordings of meetings

Rule 51

The secretariat shall make sound recordings of meetings of the Congress and of the committees. Such recordings shall be made of meetings of other subsidiary organs when the body concerned so decides.

IX. REPORT OF THE CONGRESS

Rule 52

1. The Congress shall adopt a report, the draft of which shall be prepared by the Rapporteur-General.

2. The report shall be distributed as soon as practicable and not later than six months after the closing of the Congress to all States and to other participants in the Congress.

X. PUBLIC AND PRIVATE MEETINGS

General principles

Rule 53

1. The plenary meetings of the Congress and meetings of its subsidiary organs other than the General Committee and the Credentials Committee shall be held in public unless the body concerned decides otherwise.

2. Meetings of the General Committee and the Credentials Committee shall be held in private unless the body concerned decides otherwise.

XI. OTHER PARTICIPANTS AND OBSERVERS

Representatives of organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under the auspices of the General Assembly

Rule 54

Representatives designated by organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

Representatives of national liberation movements

Rule 55

Representatives designated by national liberation movements invited to the Congress may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

Representatives of United Nations organs and related agencies

Rule 56

Representatives designated by organs of the United Nations, the specialized agencies or the International Atomic Energy Agency may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

Observers for other intergovernmental organizations

Rule 57

Observers designated by other intergovernmental organizations invited to the Congress may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

Observers for non-governmental organizations

Rule 58

Observers designated by non-governmental organizations invited to the Congress may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups.

Individual experts and consultants

Rule 59

1. Individual experts in the field of crime prevention and the treatment of offenders may be invited to the Congress by the Secretary-General in their individual capacity and may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups.

2. The Secretary-General may invite a small number of expert consultants to participate in the Congress at the expense of the United Nations. In inviting such expert consultants, the Secretary-General shall pay due regard to the principle of equitable geographical representation. Expert consultants thus invited may, as appropriate, initiate and assist in debates in the committees, subcommittees and working groups of the Congress.

Written statements

Rule 60

Written statements related to the work of the Congress submitted by the designated representatives, individual experts or observers referred to in rules 54-59 shall be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution, provided that a statement submitted on behalf of a non-governmental organization shall be on a subject in which it has a special competence.

XII. AMENDMENT OR SUSPENSION OF THE RULES OF PROCEDURE

Method of amendment

Rule 61

These rules may be amended by a decision of the Congress taken by a two-thirds majority of the representatives present and voting upon a recommendation of the General Committee.

Method of suspension

Rule 62

1. Any of these rules may be suspended by a decision of the Congress, provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects; subsidiary organs may by unanimous consent waive rules pertaining to them. Any suspension shall be limited to a specific and stated purpose and to the period required to achieve it.

2. This rule shall not apply to rule 30.

Periodic review of rules

Rule 63

After the completion of each Congress, the Commission on Crime Prevention and Criminal Justice shall make appropriate recommendations to the Economic and Social Council for such amendments to these rules as it may deem necessary.

DRAFT RESOLUTION IX

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders*

The Economic and Social Council,

Recalling General Assembly resolution 46/152 of 18 December 1991, in the annex to which it is stated that the contributions of the regional institutes for the prevention of crime and the treatment of offenders to policy development and implementation, and their resource requirements, especially those of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, should be fully integrated into the United Nations crime prevention and criminal justice programme,

Recalling also General Assembly resolution 47/89 of 16 December 1992,

Bearing in mind its resolution 1992/22 of 30 July 1992, section IV, paragraph 2,

1. Expresses its appreciation to the Government of Uganda for providing host facilities to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders;

---

* For the discussion, see chap. VI.

2. *Encourages* Governments and intergovernmental and non-governmental organizations to provide financial and technical support to the Institute to enable it to fulfil its objectives, particularly those concerning training, technical assistance, policy guidance, research and data collection;

3. *Requests* the Secretary-General and the United Nations Development Programme to continue providing assistance and support to the Institute.

B. Draft decisions

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following three draft decisions:

DRAFT DECISION I

Reappointment of two members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute*

The Economic and Social Council, recalling Economic and Social Council resolution 1989/56 of 24 May 1989, decides to endorse the reappointment, by the Commission on Crime Prevention and Criminal Justice at its second session, of Moustafa El-Augi and Alves da Cruz Rios to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute and recommends that, in the future, the number of persons nominated by the Secretary-General to fill positions on the Board should exceed the number of positions to be filled.

DRAFT DECISION II

Organization of future sessions of the Commission on Crime Prevention and Criminal Justice**

The Economic and Social Council decides that:

(a) At its third session, the Commission on Crime Prevention and Criminal Justice, in addition to its plenary meetings, should be provided with full interpretation services for eight meetings of the Committee of the Whole, four of which are to be devoted to the consideration of draft resolutions, if necessary;

---

* For the discussion, see chap. VI.

** For the discussion, see chap. IX.

(b) Future sessions of the Commission should be held for a period of eight days.

DRAFT DECISION III

Report of the Commission on Crime Prevention and Criminal Justice on its second session and provisional agenda and documentation for the third session of the Commission*

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its second session, and endorses the resolutions and decisions adopted by the Commission;

(b) Approves the provisional agenda and documentation for the third session of the Commission as set out below.

PROVISIONAL AGENDA AND DOCUMENTATION FOR THE THIRD SESSION OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE

1. Election of officers.

   (Legislative authority: rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council and Commission decision 1/101)

2. Adoption of the agenda and organization of work.

   (Legislative authority: Economic and Social Council resolution 1992/1; rules 5 and 7 of the rules of procedure)

3. Review of priority themes, in accordance with Commission resolution 1/1 on strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme, including:

   (a) The role of criminal law in the protection of the environment;

   (b) Violence against women;

   (c) Preparations for the World Ministerial Meeting on Organized Crime.

---

* For the discussion, see chap. IX.

Documentation

Report of the Secretary-General on progress made on the Fourth and Fifth Surveys of Crime Trends and Operations of Criminal Justice Systems, and other initiatives under way to acquire, process and distribute crime prevention and criminal justice data

(Legislative authority: E/CN.15/1993/L.20/Rev.1, part IV, sect. A, para. 3)

Report of the Secretary-General on progress made in the improvement of computerization in criminal justice management, with emphasis on strengthening national capacities for the collection, collation, analysis and utilization of the data

(Legislative authority: E/CN.15/1993/L.20/Rev.1, part IV, sect. C, para. 3 (d))

Report of the Secretary-General on the status of the preparations for the World Ministerial Conference on Organized Transnational Crime

(Legislative authority: E/CN.15/1993/L.13/Rev.1, para. 4)

Note by the Secretary-General on proposals made by Member States on specific objectives and activities, in accordance with Commission resolution 1/1 on strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme

(Legislative authority: E/CN.15/1993/L.20/Rev.1, part I, para. 2)

4. Implementation of Economic and Social Council resolution 1992/22.

Documentation

Report of the Secretary-General on progress made in the implementation of Council resolutions 1992/22 and 1993/-

(Legislative authority: E/CN.15/1993/L.15/Rev.1, para. 7)

5. Technical cooperation.

Documentation

Report of the Secretary-General on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme, including appropriate mechanisms for the mobilization of resources

(Legislative authority: E/CN.15/1993/L.20/Rev.1, part. II, para. 7)

6. United Nations standards and norms in the field of crime prevention and criminal justice.

Documentation

Report of the Secretary-General on United Nations standards and norms in the field of crime prevention and criminal justice

(Economic and Social Council resolution 1992/22, part VII, para. 3)

7. Preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

Documentation

Report of the Secretary-General on progress made in the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, including reports of the five regional preparatory meetings for the Ninth Congress

Final version of the discussion guide for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

(Legislative authority: General Assembly resolution 46/152, E/CN.15/1993/L.6/Rev.1, paras. 13 and 16)

8. Cooperation and coordination of activities with other United Nations bodies and other entities.

Documentation

Report of the Secretary-General on cooperation and coordination of activities in crime prevention and criminal justice

(Legislative authority: E/CN.15/1993/L.20/Rev.1, part V, para. 6)

Report on the activities of the United Nations Interregional Crime and Justice Research Institute and other institutes

(Legislative authority: Economic and Social Council resolution 1992/22, part IV, para. 2)

9. Programme questions.

Note by the Secretary-General on programme questions

Note by the Secretary-General on the proposed revisions to the medium-term plan for the period 1992-1997

10. Provisional agenda for the fourth session of the Commission on Crime Prevention and Criminal Justice.

11. Adoption of the report of the Commission on Crime Prevention and Criminal Justice on its third session.

Chapter II

REVIEW OF PRIORITY THEMES

1. The Commission considered agenda item 3 at its 2nd to 4th meetings, on 13 and 14 April. It had before it the following documents:

(a) Report of the Secretary-General on the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations and on coordination of activities with other United Nations bodies (E/CN.15/1993/2);

(b) Report of the Secretary-General on the impact of organized criminal activities upon society at large (E/CN.15/1993/3);

(c) Report of the Secretary-General on the control of proceeds of crime (E/CN.15/1993/4);

(d) Conference room paper on replies received after 30 November 1992 to the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations (E/CN.15/1993/CRP.3);

(e) Report of the World Conference on the Establishment of an International Criminal Tribunal to Enforce International Criminal Law and Human Rights, Siracusa, 2-5 December 1992 (E/CN.15/1993/CRP.4);

(f) Conference room paper submitted by the United Nations Interregional Crime and Justice Research Institute on criminal victimization in the world (E/CN.15/1993/CRP.6);

(g) Conference room paper submitted by the United Nations Interregional Crime and Justice Research Institute and the Australian Institute of Criminology on environmental crime, sanctioning strategies and sustainable development (E/CN.15/1993/CRP.7);

(h) Report of the International Meeting of Experts on the Establishment of an International Criminal Court, Vancouver, 22-26 March 1993 (E/CN.15/1993/CRP.8);

(i) Statement submitted by the following non-governmental organizations in consultative status with the Economic and Social Council: International Alliance of Women, International Council of Women, International Federation of Business and Professional Women, Soroptimist International and Zonta International (category I); International Abolitionist Federation, International Federation for Home Economics, International Federation of University Women, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs) (International Movement of Catholic Students) and World Federation of Methodist Women (category II); and International Inner Wheel (Roster) (E/CN.15/1993/NGO/3);

(j) Statement submitted by the Asia Crime Prevention Foundation, a non-governmental organization in consultative status with the Economic and Social Council (category II) (E/CN.15/1993/NGO/4).

A. National and transnational crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment

2. The importance of the survey of activities carried out in the field of crime prevention and criminal justice was emphasized, as well as the implications of the results of that survey for the review of priority themes. The survey results seemed to reflect the primacy given by the Commission to the general topic of organized and transnational crime, including money-laundering.

3. The Commission devoted particular attention to the latest developments in transnational crime, organized crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment. It was affirmed that the development of effective measures to deal with those types of criminal activity remained high on the priority lists of Member States, as did the development of more effective measures involving international cooperation designed to address the problems that those activities posed to developed and developing countries.

4. Many speakers expressed their concern about the increase in both the levels and the sophistication of transnational and organized crime. It was emphasized that organized criminal groups were expanding their activities rapidly across national frontiers, taking advantage of gaps in international cooperation. In addition, such groups were vigorously pursuing new types of activities, often moving away or phasing out more traditional activities and diversifying their operations like many modern enterprises, using sophisticated management techniques.

5. Transnational and organized crime, as well as economic crime, threatened the security and stability of all nations. Infiltration of the legitimate economy by the operations of organized criminal groups and the proceeds generated by their illegal activities presented a grave danger. Countries in transition and countries that were making considerable efforts to structure their economies on the basis of free-market principles were particularly vulnerable. Many speakers stressed that the international community could not afford to overlook the consequences of transnational and organized criminal activity and that it was faced with the challenge of taking immediate and effective action to prevent or control such activity.

6. The sophistication of organized and transnational crime required innovative approaches to international cooperation. The Crime Prevention and Criminal Justice Branch and the Commission had at their disposal international expertise that was indispensable in devising such innovative approaches. The documents presented to the Commission on the subject, which were of the highest quality, served to place the various aspects of the problem in perspective. They also served to identify areas of particular concern to the international community and to shed light on the ramifications of organized and transnational crime and economic crime, including money-laundering. A

number of modalities outlined in the documents could be further developed to promote effective and efficient international cooperation.

7. A large number of representatives referred to the need for the Branch to intensify its efforts to deal with organized transnational crime and environmental crime and to control proceeds of crime, all of which were directly linked to organized crime. Many representatives referred to corruption as one problem that deserved particular attention, especially since it was closely associated with organized crime. The Commission agreed that efforts to fight corruption should be continued and intensified.

8. The Minister of Justice of Italy called on the United Nations to organize and convene, in the second half of 1994, a world ministerial conference on organized transnational crime, for which his Government would act as host. He said that his Government also intended to substantially support the organization of an international conference on the laundering and control of proceeds of crime, to be preceded by a comprehensive survey and a study to identify activities already carried out and the problems that needed to be addressed in that area. The initiatives were met with support by a majority of the members of the Commission. The purposes of the conferences would be to intensify the efforts of the international community against those types of criminal activity, to consolidate the collective political will of all Member States and to direct universal attention to effective and efficient international cooperation. He also requested the prompt enforcement of Security Council resolution 808 (1993) on the establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991.

9. Several representatives recommended that the impressive work already accomplished in controlling proceeds of crime by the Financial Action Task Force established by the Heads of State or Government of the Group of Seven major industrial countries and the President of the Commission of the European Communities and regional bodies should be taken into account by the United Nations crime prevention and criminal justice programme. Duplication should be avoided. Efforts undertaken through the programme would benefit greatly by building on the accomplishments of the Financial Action Task Force. It was recognized that, in the area of controlling proceeds of crime, the programme had a significant role to play, which emanated from the need for a global approach to a problem that had assumed global dimensions.

10. Many representatives emphasized the fact that environmental crime was increasing in occurrence and importance. It was stressed that effective measures should be devised that would make use of criminal law to protect the environment and that the United Nations crime prevention and criminal justice programme should play an active role in that work. Initiatives that had already been undertaken along those lines should be taken into account and expanded. One speaker highlighted possible linkages between organized crime and environmental crime, especially hazardous waste disposal and wildlife trafficking.

11. Most speakers emphasized that, in promoting international cooperation against organized and transnational crime, economic crime, including money-laundering, and the role of criminal law in the protection of the

environment, it was necessary for the United Nations crime prevention and criminal justice programme to continue to study the issues involved since those types of criminal activity were continuously evolving, new methods were being used and new forms of criminal activity were emerging. It was an area of criminal activity characterized by sophistication and flexibility. Consequently, the programme should be in a position to keep the Commission and, through it, the international community abreast of developments in order to facilitate decisions and the development of appropriate policies. Greater emphasis needed to be given to the provision of practical assistance to Member States requiring it in such areas as the elaboration and implementation of appropriate legislation, the development and implementation of bilateral or regional arrangements for legal assistance and extradition, and the building and upgrading of national capacities in the form of training of law enforcement, investigative, prosecutorial and judicial personnel. The vast majority of representatives said that it was important to strengthen the criminal justice system in order to render it capable of adequately responding to related problems, and the programme had a significant and leading role to play in that area. It was also stated that solidarity and effective action characterized international cooperation in the fight against all forms of crime.

12. Many speakers highlighted the importance of establishing and maintaining operative links between the national services involved in efforts to prevent and control all manifestations of organized and transnational criminality. It was recommended that the programme explore the possibility of setting up appropriate mechanisms for that purpose. The meetings of heads of national drug law enforcement agencies, held under the auspices of the United Nations International Drug Control Programme in all regions, were mentioned as an example. It was recommended that the possibility of setting up a similar mechanism for law enforcement agencies charged with preventing and controlling organized and transnational crime be seriously considered.

B. Crime prevention in urban areas, juvenile and violent criminality

13. There was general agreement on the increasingly urgent need for action on the part of Governments, individually and collectively, aimed at crime prevention in urban areas, juvenile and violent criminality. The central issue involved was the maintenance of security and safety of both life and property.

14. The deplorable living conditions in many urban areas of the world, in particular in developing countries and in the least developed countries, and the rapidly deteriorating "quality of life" in others posed difficult obstacles to successful crime prevention, making the link between socio-economic living conditions and conventional crime more evident. The situation was becoming even more problematic in the light of the worldwide demographic trend of urban "swelling", particularly by young persons, and its criminological implications in the urban environment. Juvenile crime, particularly crime involving interpersonal violence and theft, was reported to be escalating steadily worldwide.

15. It was noted that young persons migrating from rural to urban areas were searching to fulfil very basic needs and seeking what were considered to be some of the advantages of urban life, including greater opportunities for training, education and employment. Having severed their community and family ties, however, they were more vulnerable to criminal exploitation and more exposed to violence and abuse of all kinds.

16. The observer for the International Criminal Police Organization (ICPO/Interpol) stated that there was worldwide concern about minors being criminally exploited and about offences being perpetrated against them on a large scale. The young were easy targets of drug trafficking and related organized crime operations, and their increasing involvement in drug-related criminality, as both traffickers and abusers, made it necessary for criminal justice systems to review their responses to the problem and to introduce new preventive and protective measures. Such a serious problem with transnational dimensions could only be tackled through transnational cooperation. A number of delegations drew the attention of the world community to the tragic mass violence for ethnic purposes against women in the former Yugoslavia.

C. Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies

17. There was general agreement that modernization of criminal justice administration had become an even more challenging and urgent task in the wake of the threat posed to criminal justice by the rapid and dangerous development of organized crime. One representative noted that those dealing with organized crime at the international level could not overlook the fact that conventional crime at the national level was at its origin. Another added that organized crime had an inherent tendency to spread internationally and that it thrived on confines of the rule of law that governed the national criminal justice systems and on difficult socio-economic conditions that many countries were currently experiencing. One representative emphasized that practical assistance should be provided to countries in transition to market economies that were making efforts to reform their criminal law and criminal justice systems. Another representative expressed his country's interest in contributing to the criminal law reform project in the Russian Federation.

18. Some representatives stated that the process of strengthening national capacities and improving criminal justice management was implicit in many national projects and programmes. They noted that the internationalization of crime affected virtually every agency of the criminal justice system and had an impact on internal collaboration between those agencies. One representative said that the entire criminal justice system would lack guidance if it was not governed by a clear criminal justice policy; it was thus a matter of priority to continue to examine the connections between, on the one hand, the agencies of the criminal justice system and, on the other hand, criminal law reforms to see how to improve the flow of information that might assist criminal justice managers in making decisions and policy.

19. It followed that there was a relationship between (a) occasional lack of modern bilateral and multilateral arrangements to fight organized crime and (b) insufficient exchange of information between criminal justice administrators on matters of bilateral and multilateral interest, including criminal justice operations and criminal justice reforms.

20. Some representatives noted that the exchange of information, which occurred informally between Member States and formally through regional and interregional organizations, contributed to efficiency, fairness and improvement in the management and administration of criminal justice and related systems. One representative added that making improvements in criminal justice management required the development of a more comprehensive and decisive approach to computerizing criminal justice operations, a task that the Secretariat had not dealt with sufficiently.

21. It was stated that the United Nations surveys of crime trends, operations of criminal justice systems and crime prevention strategies were useful and informative. At the same time, a better exchange of information on research findings could complement the clearing-house functions of the Crime Prevention and Criminal Justice Branch. The Observer for the United Nations Interregional Crime and Justice Research Institute stated that international comparative research suggested that punishment policy and practices around the world had certain similarities. Moreover, criminal justice administrations were faced with strikingly similar problems, including increasing crime rates, new forms of crime and ways of committing crime, understaffing, and conflict between cost-effectiveness and human rights concerns.

Action taken by the Commission

Violence against women in all its forms

22. At the 10th meeting, on 20 April, the representative of Costa Rica introduced a draft resolution (E/CN.15/1993/L.7) entitled "Violence against women in all its forms" and orally revised it by (a) deleting subparagraph 1 (i), (b) replacing the words "provisional agenda" in subparagraph 1 (k) by the words "appropriate item of the agenda" and (c) adding a new operative paragraph 2. Subsequently, Argentina, 36/ Austria, Canada 36/ and the Philippines joined in sponsoring the draft resolution. The draft resolution, as orally revised, read as follows:

"The Economic and Social Council

"*Welcoming* the report of the Secretary-General on domestic violence (A/CONF.144/17),

"*Recalling* General Assembly resolution 45/114 of 14 December 1990 on domestic violence,

---

36/ In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

"Referring to the recommendations of the Expert Group Meeting on Violence against Women (E/CN.6/1992/4, annex), held at Vienna from 11 to 15 November 1991,

"Reaffirming its resolution 1992/18 of 30 July 1992,

"Fully supporting the draft Declaration on the Elimination of Violence against Women, elaborated by the Expert Group Meeting on Violence against Women and by the Working Group on Violence against Women (E/CN.6/1993/12), held at Vienna from 31 August to 4 September 1992,

"Expressing deep concern over the steady rise in the many forms of violence against women,

"Convinced of the necessity of substantially improving the situation of victims of violence,

"Calling attention to the fact that it is important for perpetrators of domestic violence to receive appropriate punishment,

"Noting that, unlike rape within the family or in the community, systematic rape used as a political strategy is not mentioned in the documents referred to above,

"Strongly condemning systematic rape during armed conflict,

"Encouraged by the increased public attention that is being given to the issue of violence against women,

"Recognizing the work done by non-governmental organizations to reduce violence against women and to help the victims of such violence,

"Appreciating the international cooperation in efforts to combat violence against women,

"1. Urges Governments, the specialized agencies of the United Nations and the non-governmental organizations concerned:

"(a) To take all possible steps to prevent violence against women;

"(b) To intensify their efforts to make violence against women a criminal offence;

"(c) To promote police and penal systems that combine the protection of society with the prosecution and appropriate punishment of perpetrators;

"(d) To offer full assistance, including medical, psychological and financial support, to women who are victims of violence, in order for them to be independent of their offenders;

"(e) To improve police training to ensure that all incidents of violence against women are thoroughly investigated;

"(f) To respond quickly to every case that calls for assistance to be provided to the victim;

"(g) To take measures to combat violence against women occurring within the community, such as rape, sexual abuse, traditional practices harmful to women, trafficking in women and forced prostitution;

"(h) To guarantee appropriate treatment of offenders, including sentencing strategies that deter perpetrators from repeating offences;

"(i) To include the issue of violence against women in all its forms in the preparations for and observance in 1994 of the International Year of the Family, under the area of crime prevention and criminal justice;

"(j) To include the issue of violence against women in all its forms in the appropriate item of the agenda for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1995;

"2. Requests the Commission on Crime Prevention and Criminal Justice to include the issue of violence against women in all its forms in the provisional agenda for its third session."

23. At the same meeting, the observer for Turkey made a statement.

24. At the 14th meeting, on 22 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.7/Rev.1), submitted by Argentina, 36/ Austria, Canada, 36/ Costa Rica, Gabon, Morocco, 36/ Nicaragua, the Philippines and Spain. 36/ Subsequently, Australia, Belgium, 36/ Denmark, 36/ Egypt, 36/ Finland, France, Germany, Italy, Jordan, 36/ Lebanon, 36/ Malta, 36/ the Netherlands, 36/ Portugal, 36/ the Russian Federation, Saudi Arabia, Sweden, 36/ Tunisia, Turkey 36/ and the United Kingdom of Great Britain and Northern Ireland 36/ joined in sponsoring the revised draft resolution.

25. At the same meeting, statements were made by the representatives of Costa Rica, Japan, Bolivia, Uruguay, Uganda, Tunisia, Burkina Faso, France, Malaysia and the United States of America and the observers for Argentina, Malta and Canada.

26. At the 15th meeting, on 23 April, the representative of Costa Rica orally revised the draft resolution as follows:

(a) In the twelfth preambular paragraph, the words "Encouraged by" were replaced with the word "Recognizing" and the words "and how women can be victimized by virtue of their gender" were added at the end of the paragraph;

(b) In operative paragraph 1 (b), the words "ensure that violence against women is a criminal offence" were replaced by the words "use criminal law to prohibit violent acts against women";

(c) In operative paragraph 1 (e), the words "in countries where it is necessary" were added at the end of the paragraph;

(d) In operative paragraph 1 (h), the words "punishment and" were inserted before the words "treatment of offenders".

27. At the same meeting, statements were made by the representatives of Nigeria, the Russian Federation, Cuba and Costa Rica and the observer for the Netherlands.

28. Also at the same meeting, the Commission adopted the revised draft resolution, as further orally revised (see chap. I, sect. A, draft resolution I).

29. After the adoption of the revised draft resolution, statements were made by the representatives of Italy, the Islamic Republic of Iran, Bolivia, Saudi Arabia and Austria and the observers for Turkey and Egypt.

Proposed guidelines for the prevention of urban crime

30. At the 10th meeting, on 20 April, the representative of France, on behalf of Algeria, 36/ Australia, Belgium, 36/ Burkina Faso, Canada, 36/ Costa Rica, France, Gabon, Italy, Malta, 36/ Morocco, 36/ the Netherlands, 36/ Poland and Tunisia, introduced a draft resolution (E/CN.15/1993/L.9) entitled "Guidelines for the prevention of urban crime". Subsequently, Argentina 36/ joined in sponsoring the draft resolution. The draft resolution read as follows:

> "The Economic and Social Council,
>
> "Recalling its resolutions 1979/20 of 9 May 1979, 1984/48 of 25 May 1984 and 1990/24 of 24 May 1990 and General Assembly resolutions 45/121 of 14 December 1990 and 46/152 of 18 December 1991,
>
> "Recalling also its resolution 1992/22 of 30 July 1992,
>
> "Recalling further the Milan Plan of Action, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules), the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the resolution entitled "Prevention of urban crime" adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,
>
> "Aware of the universal character of urban crime,
>
> "Recognizing the usefulness of establishing guidelines to facilitate action on preventing urban crime,
>
> "Anxious to respond to the call of many States for technical cooperation programmes adapted to local conditions and needs,
>
> "1. Takes note of the guidelines for cooperation and technical assistance in the field of urban crime prevention, contained in the annex to the present resolution, which are aimed at making urban crime prevention more effective;

"2. Requests the Secretary-General to disseminate the guidelines for cooperation and technical assistance in the field of urban crime prevention as widely as possible with a view to examining them within the framework of the discussion under item 6 of the provisional agenda for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1995, and then publishing them in the most appropriate form, for example in the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice;

"3. Encourages Member States to report on their experiences in elaborating urban crime prevention projects on the basis of the guidelines;

"4. Requests the Secretary-General to encourage the elaboration of and to facilitate, for those States that request it, the implementation of technical cooperation projects based on the guidelines;

"5. Calls upon the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice and non-governmental organizations to submit their experiences in the field of urban crime prevention and to express their observations when the guidelines are discussed at the Ninth Congress;

"6. Requests the Secretary-General to examine the possibility, taking into account the United Nations crime prevention and criminal justice programme, of coordinating measures for urban crime prevention that may be included in the assistance programmes carried out by other United Nations entities;

"7. Also requests the Secretary-General to examine, together with international financial institutions, the possibility of including urban crime prevention measures in their assistance programmes.

"ANNEX

"Guidelines for cooperation and technical assistance in the field of urban crime prevention

"A. Modalities for the design and implementation of cooperation and assistance activities

"All cooperation projects for urban crime prevention should comply with the following principles:

"1. Local approach to problems

"Urban crime is characterized by a multiplicity of factors and forms - for each case a local approach to the problems to be addressed must be adopted.

"This involves:

- A local diagnostic survey of the crime phenomena, their characteristics, factors leading to them, the form they take and their extent;

- The identification of all the relevant actors who could take part in compiling this diagnostic survey and in crime prevention: public institutions (national or local), local elected officers, the private sector (associations, enterprises ...), community representatives ...;

- The setting up, from the outset, of consultation mechanisms promoting closer liaison, the exchange of information, joint work and the design of a coherent strategy.

"2. Concerted design of a global crime prevention action plan, which shall:

"(a) Define:

- The nature of the phenomena to be tackled (poverty, unemployment, housing, health and education problems, cultural or inter-ethnic conflicts, drugs ...);

- The objectives being pursued and the time-limits fixed for them to be attained;

- The modalities of action envisaged and the respective responsibilities of those involved *vis-à-vis* the implementation of the plan (national local resources to be mobilized and resources available through international cooperation);

"(b) Involve a wide range of fields:

- Family, young people and adults, relationship between the generations or between social groups ...;

- Education, civic values, culture ...;

- Employment, training, measures for combating unemployment;

- Housing;

- Health, drug and alcohol abuse;

- Government and communty welfare aid for the least fortunate members of society;

- Combating the culture of violence;

"(c) Involve a range of actors representing:

- The police, the courts, education, housing, health, social workers ...;

- The community: elected officers, associations, volunteers, parents ...;
- The economic sector: enterprises, banks, business, public transport ...;

"(d) Provide for action on various levels:

- Primary prevention:
    - By welfare and health development, progress and combating all forms of social deprivation;
    - By promoting communal values and respect for fundamental human rights;
    - By promoting civic responsibility and social mediation procedures;
    - By adapting the working methods of the police and the courts (community police and courts);
- Prevention of recidivism:
    - Through modified police intervention (rapid response; within the local community ...);
    - By modifying methods of judicial intervention:
        - Diversification of modalities of treatment and of measures taken according to the nature and seriousness of the cases (special system for minors);
        - Systematic research on the reintegration of offenders involved in urban crime;
        - Socio-educational support within the framework of the sentence, in prison and as preparation for release from prison;
- After the sentence has been served: aid and socio-educational support, family support ...;
- Protection of victims:
    - By practical improvements in the treatment of victims by means of:
        - Raising awareness of rights and how to exercise them effectively;
        - Reinforcing rights (in particular the right to compensation);

- The introduction of systems of victim reception, assistance and follow-up.

"B. Implementation of the action plan

"1. The national authorities should:

- Provide active encouragement to local actors (information, technical and financial aid ...);

- To coordinate national policy and strategies with local strategies and needs (possibly by means of contracts between national and local authorities);

- By organizing interministerial consultation and cooperation mechanisms;

"2. The national and local authorities should:

- Be constantly mindful of respect for the fundamental principles of human rights in promoting these activities;

- Implement training programmes (national and local) to inform and support all the professionals involved in crime prevention (initial training as well as in-service training to accommodate changes in working methods);

- Compare experiences and organize exchanges of know-how;

- Provide for means of evaluating regularly the effectiveness of the strategy implemented and the possible revision of it."

31. At the 14th meeting, on 22 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.9/Rev.1), submitted by Argentina, 36/ Australia, Austria, Belgium, 36/ Burkina Faso, Canada, 36/ Costa Rica, Egypt, 36/ France, Gabon, Italy, Malta, 36/ Morocco, 36/ the Netherlands, 36/ Poland, Spain 36/ and Tunisia, subsequently joined by Portugal. 36/

32. At the same meeting, the representatives of Finland and France proposed that the word "Proposed" be inserted before the word "guidelines" in the title of the resolution and in the title of the annex.

33. Also at the same meeting, the Commission adopted the draft resolution, as orally revised (see chap. I, sect. A, draft resolution II).

Review of priority themes

34. At the 12th meeting, on 21 April, the Commission had before it recommendations of the working group on the review of priority themes (E/CN.15/1993/L.10), chaired by the Vice-Chairman of the Commission, Lilian Ferraro (Italy), which read as follows:*

---

* For action taken on the recommendations, see chap. IV, para. 13.

"1. In its deliberations, the working group on the review of priority themes drew particular attention to such issues as organized crime in all its manifestations, money-laundering, the role of criminal law in the protection of the environment, the protection of cultural property from theft and smuggling, domestic violence, the computerization of the administration of criminal justice, juvenile delinquency and street crime.

"2. The working group agreed that the plenary should reaffirm the priority themes formulated by the Commission at its first session and contained in Economic and Social Council resolution 1992/22, section VI.

"3. The working group decided to draw the attention of the plenary to Commission resolution 1/1, entitled 'Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme', underlining the importance for the third and subsequent sessions of the Commission of implementing the mechanisms, referred to in paragraphs 32-35 of the annex to that resolution, for determining the objectives and the specific activities of the programme. Member States working together with others interested in the same issues should prepare and circulate in advance of each session proposals on specific objectives and activities, as noted in that annex."

The role of criminal law in the protection of the environment

35. At the 10th meeting, on 20 April, the representative of Germany, on behalf of Costa Rica, Germany, Italy and the Netherlands, 36/ introduced a draft resolution (E/CN.15/1993/L.12) entitled "The role of criminal law in the protection of the environment", and orally revised it as follows:

(a) In the second preambular paragraph, the words "in which the Eighth Congress requested the Secretary-General to, *inter alia*, examine the possibilities of further harmonization of the provisions of existing international instruments entailing penal sanctions under national criminal law" were added at the end of the paragraph;

(b) In operative paragraph 2 (a), the words "with input from Member States" were inserted after the words "to establish";

(c) Operative paragraph 2 (c), which read:

> "To organize as part of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders a research workshop on environmental crime;"

was deleted, with a view to its incorporation into draft resolution E/CN.15/1993/L.20/Rev.1 (see chap. I, sect. A, draft resolution VII);

(d) In operative paragraph 5, the words "criminal laws" were replaced by the words "in addition to measures provided by administrative law and liability under civil law, measures in the field of criminal law".

36. Subsequently, Uruguay joined in sponsoring the draft resolution. The draft resolution, as orally revised, read as follows:

"The Economic and Social Council,

"Recalling its resolution 1992/22 of 30 July 1992, in section VI of which it determined that three priority themes should guide the work of the Commission, one of which included the role of criminal law in the protection of the environment, and in section III of which it invited Member States to establish reliable and effective channels of communication among themselves and with the United Nations crime prevention and criminal justice programme, including the regional institutes affiliated with the United Nations,

"Recalling also General Assembly resolution 45/121 of 14 December 1990, on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the General Assembly welcomed the instruments and resolutions adopted by the Congress (United Nations publication, Sales No. E.91.IV.2, chap. I), including the resolution on the role of criminal law in the protection of nature and the environment, in which the Eighth Congress requested the Secretary-General to, inter alia, examine the possibilities of further harmonization of the provisions of existing international instruments entailing penal sanctions under national criminal law,

"Recalling further General Assembly resolution 46/152, annex, of 18 December 1991, in which the Assembly called for strengthening regional and international cooperation in combating transnational crime,

"Noting with appreciation the collaboration of the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, and the Max Planck Institute for Foreign and International Criminal Law, based in Germany, in organizing the Seminar on the Policy of Criminal Law in the Protection of Nature and the Environment in a European Perspective, held at Lauchhammer, Germany, from 25 to 29 April 1992,

"Noting also with appreciation the ongoing study on environmental crime, sanctioning strategies and sustainable development undertaken jointly by the United Nations Interregional Crime and Justice Research Institute and the Australian Institute of Criminology,

"1. Takes note of the conclusions of the Seminar on the Policy of Criminal Law in the Protection of Nature and the Environment in a European Perspective, contained in the annex to the present resolution;

"2. Requests the Secretary-General to take the conclusions of the Seminar into consideration and to undertake activities in the United Nations crime prevention and criminal justice programme, in particular:

"(a) To establish with input from Member States a roster of experts in the field of environmental crime;

"(b) To include environmental crime as an issue for technical cooperation;

"3. Requests the United Nations Interregional Crime and Justice Research Institute and the institutes associated or affiliated with the United Nations to assist the Secretary-General in this endeavour by sharing their expertise;

"4. Requests the Commission on Crime Prevention and Criminal Justice to include the issue of environmental crime in the provisional agenda for its third session and to establish an in-sessional working group for that session;

"5. Calls upon Member States and the bodies concerned to continue their efforts to protect nature and the environment using, in addition to measures provided by administrative law and liability under civil law, measures in the field of criminal law and to provide requesting Member States with technical cooperation in the field of environmental crime.

"Annex

"CONCLUSIONS OF THE SEMINAR ON THE POLICY OF CRIMINAL LAW IN THE PROTECTION OF NATURE AND THE ENVIRONMENT IN A EUROPEAN PERSPECTIVE, HELD AT LAUCHHAMMER, GERMANY, FROM 25 TO 29 APRIL 1992

"A.1. The existing state of the environment is serious and calls for efficient countermeasures all over Europe on the national, supranational and international level. The environment as a whole and its component elements must be protected in such a way that:

- Existing damage will be eliminated or at least reduced (including restoration),
- Harm will be prevented, and
- Risk will be minimized.

"2. There should be enhanced recognition of environmental interests as special or particular legal interests. The necessity of using water, air, the soil and other natural elements to a certain extent, however, precludes a prohibition on every action affecting those environmental interests.

"3. The objective of environmental protection requires an integrated approach employing a variety of instruments appropriate to influence conduct and to reduce burdens on the environment, ranging from public participation to the use of sanctions. Regulatory environmental administrative law still remains at the heart of State instruments for the protection of the environment. Other methods of environmental protection, e.g., economic incentives or the use of civil sanctions, will be important for many aspects of environmental protection. In addition to that, the criminal law should play a flanking and supporting and, where appropriate, independent role.

"B.4. The goal in using the threat of sanctions is not only to back up the enforcement of administrative rules, but also to protect environmental interests as such (qualifying them as penally protected interests). Here, too, the criminal law can have a general and special preventive effect and may, by its moral stigma, heighten environmental awareness.

"5. Substantive criminal law can play an autonomous and independent role in cases of serious attacks on the environment, including the endangerment of public health or of life or of serious bodily harm. Above and beyond this the legislator cannot develop behavioural criteria under the criminal law which are more stringent than those under administrative law. In that respect environmental criminal law is closely linked to and dependent upon administrative law which limits the effect of the former; nevertheless, this does not provide any reason for it not to be used in this context. That limitation is also dependent upon what differences exist in the approach and the means of the administration and the judiciary in the role which they play in protecting the environment. To reduce the risk of non-uniform application, emphasis should be placed on links with administrative regulations by comparison with links with administrative decisions.

"6. Environmental criminal law should encompass all areas of the environment. It is up to the national legislators whether in this respect offences are developed which refer to the environment as a whole or the specific components thereof. The legislator should develop at least a common or similar offence in relation to water, air and soil pollution.

"7. Offences should be differentiated according to their seriousness (with, as a consequence, a different range of sanctions).

One factor is the division according to the state of mens rea between intentional and reckless or negligent acts.

Another emerging possibility is the use of the concept of endangerment in addition to the traditional use of so-called result crimes in continental legislation.

"8. It is not sufficient to use the criminal law only to combat damage to other violations of environmental entities. Serious infringements of safety regulations, other operator duties or of the administrator's preventive control interests can vastly increase the risk that hazards or damage will incur. Therefore it is justifiable to invoke the criminal law to deal with the inappropriate handling of hazardous substances, goods and plants or the possible impairment of control interests.

A distinction may be drawn between offences which require that the act:

- Creates a concrete or actual danger to environmental objects (so-called concrete endangerment offence).

- Occurs in a situation with a likelihood of danger (cf. the penal provision in the Vienna Convention on the Protection of Nuclear Materials; so-called potential endangerment offence),

- Covers a mode of behaviour which is typically dangerous for the environment (e.g., operation without the necessary permit of a plant classified in a list as typically dangerous; violation of an order prohibiting the running of a plant; illegal disposal or export of dangerous waste; so-called abstract endangerment offence).

"9. Minor offences (especially non-severe violations of administrative rules) could, without a loss of efficiency, be sanctioned only by fines or, in countries where a distinction exists between criminal and administrative punitive sanctions, be classified as administrative violations (punishable by a non-criminal fine). In that respect the scope of criminal law could even be restricted.

"10. In the context of moves towards the introduction of alternative or additional measures under the criminal law in general, in comparison with the traditional use of fines and imprisonment, consideration should also be given to the possibility of using other measures (such as restoration of the status quo; imposition of obligations to improve the state of the environment; confiscation of proceeds from crime). The decision on such a variety of measures may be dependent on the use of those instruments by the administration and on their effect.

"11. Support should be given to the extension of the idea of imposing (criminal or non-criminal) fines on corporations (or possibly even other measures) in Europe.

"12. When using the criminal law and creating new offences in the area of environmental protection, consideration should be given to the need for enforcement resources. In countries where prosecution is not undertaken by the administrative agencies themselves, the application (and effect) of environmental criminal law by the prosecuting authority and judiciary is to a great extent dependent on the use of the knowledge and experience of those agencies and upon their cooperation. In order to reduce conflicts of interests and to enhance the possibility of clearing up cases, legal rules or administrative guidelines for reporting offences by administrative agencies should be developed. Cooperation and coordination between the administrative and criminal agencies is essential. Special training and sufficient staffing should be provided. Further studies on improved measures for enforcement of existing environmental protection legislation should be undertaken.

"C.13. The environment must be protected not only on the national but also on the international level. In this respect criminal law for the protection of the environment should also be developed at an international level.

"14. Improvements should be made in the options available for prosecuting extraterritorial or transboundary criminal offences. In that respect:

"(a) It should be possible to take jurisdiction in all countries over offences of a transboundary nature. Positive conflicts of jurisdiction should be solved. The problem of dealing under the criminal law with acts permitted in one State, and which produce harmful effects in another State where such acts are prohibited, should be examined in the light of the development of international and/or supranational law, including the use of bilateral and multilateral conventions or EC-regulations to develop common environmental standards;

"(b) The extension of extraterritorial jurisdiction or the possible use or expansion of extradition should be considered.

"15. European standards of environmental substantive criminal law should be developed.

"Following the encouragement given by the United Nations resolution ("The role of criminal law in the protection of nature and environment", adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 1990, and welcomed by the forty-fifth session of the United Nations General Assembly, 1990) for the harmonization of regional legislation, the efforts of the Council of Europe in elaborating a convention and a recommendation on environmental offences should be supported. Such instruments should reflect the basic ideas as expressed in section B, particularly paragraphs 6, 8, and 10. This will improve international cooperation and reduce the danger of dislocation through the evasion of stricter enforcement in one country by moving to another country.

"16. European conventions applicable to international cooperation in the prosecution of offences (e.g., by extradition, mutual assistance, transfer of proceedings, etc.) should be adhered to, if not done already, and utilized."

37. At the 14th meeting, on 22 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.12/Rev.1), submitted by Argentina, 36/ Austria, Belarus, 36/ Canada, 36/ Costa Rica, Gabon, Germany, Italy, the Netherlands, 36/ Poland, Sweden, 36/ Uruguay and the United States of America.

38. At the same meeting, the Commission adopted the draft resolution (see chap. I, sect. A, draft resolution III).

World Ministerial Conference on Organized Transnational Crime

39. At the 10th meeting, on 20 April, the representative of Italy, on behalf of Costa Rica, France, Italy, the Russian Federation and Tunisia, introduced a draft resolution (E/CN.15/1993/L.13) entitled "United Nations World Ministerial Conference on Organized Transnational Crime". Subsequently, Argentina, 36/ Armenia, 36/ Belarus, 36/ Bolivia, Burkina Faso, Ethiopia, 36/ Finland, Gabon, Germany, Malta, 36/ Oman, 36/ Peru, Poland, Portugal, 36/ Saudi Arabia, Spain 36/ and Turkey 36/ joined in sponsoring the draft resolution, which read as follows:

"The Economic and Social Council,

"Alarmed by the increasing dimensions and sophistication of organized transnational crime,

"Recognizing the danger posed by organized transnational crime to all countries of the world, in particular to developing countries and to those in transition,

"Reaffirming the need for more intensified international cooperation to prevent and control organized transnational crime,

"Convinced that effective and concerted action at all levels to prevent and control the activities of organized and transnational criminal groups represents an investment in the future for all societies,

"Recognizing the need to harmonize and coordinate efforts against organized transnational crime at the national and regional levels in order to ensure concerted and efficient global action,

"Convinced that the continuous exchange and dissemination of information can assist Governments in establishing adequate criminal justice systems and in devising effective strategies and policies against crime,

"Convinced also that technical assistance in this field is indispensable,

"Convinced further of the need to develop means of cooperating at the investigative and judicial levels,

"Considering that the United Nations Crime Prevention and Criminal Justice Branch has at its disposal the knowledge and expertise required to assist Member States in their efforts against transnational and organized crime,

"Recalling General Assembly resolutions 45/107, 45/121 and 45/123 of 14 December 1990, 46/152 of 18 December 1991 and 47/87 and 47/91 of 16 December 1992,

"Recalling also that, in its resolution 1992/22 of 30 July 1992, the Council recognized the Commission on Crime Prevention and Criminal Justice as the principal policy-making body of the United Nations in crime prevention and criminal justice,

"1. Requests the Secretary-General to organize a United Nations World Ministerial Conference on Organized Transnational Crime, to be held in the third quarter of 1994, which should have the following objectives:

"(a) To examine the problems and dangers posed by transnational and organized crime in the various regions of the world;

"(b) To examine national legislation and to evaluate its adequacy to deal with the various forms of organized transnational crime and to identify appropriate guidelines for legislative and other measures to be taken at the national level;

"(c) To identify the most effective forms of international cooperation for the prevention and control of organized transnational crime at the investigative, prosecutorial and judicial levels;

"(d) To consider appropriate modalities and guidelines for the prevention and control of organized transnational crime at the international level;

"(e) To examine the feasibility of initiating the elaboration of a United Nations convention against organized transnational crime;

"2. Accepts with appreciation the offer of the Government of Italy to act as host to the Conference;

"3. Invites all Member States to be represented at the Conference at the highest possible level."

40. At the 15th meeting, on 23 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.13/Rev.1), submitted by Argentina, 36/ Armenia, 36/ Austria, Belarus, 36/ Burkina Faso, Costa Rica, Egypt, 36/ Finland, France, Gabon, Germany, Indonesia, Italy, Malta, 36/ Oman, 36/ Poland, Spain 36/ and Turkey, 36/ subsequently joined by Bolivia, Ethiopia, 36/ the Islamic Republic of Iran, Peru, Portugal, 36/ the Philippines, the Russian Federation, Saudi Arabia, Tunisia and Uruguay.

41. At the same meeting, following statements by the representatives of Italy and Uganda, it was proposed to amend operative paragraph 1 by inserting the words "without real growth implications for the overall United Nations regular budget for the biennium 1994-1995" after the words "Requests the Secretary-General to organize".

42. Also at the same meeting, the Commission adopted the draft resolution, as orally amended (see chap. I, sect. A, draft resolution IV).

Control of the proceeds of crime

43. At the 10th meeting, on 20 April, the representative of Italy introduced a draft resolution (E/CN.15/1993/L.14) entitled "Control of proceeds of crime". Subsequently, Germany, the Russian Federation and Uruguay joined in sponsoring the draft resolution, which read as follows:

"The Economic and Social Council,

"Recalling its resolution 1992/22 of 30 July 1992, entitled 'Implementation of General Assembly resolution 46/152 concerning operational activities and coordination in the field of crime prevention and criminal justice' in section VI of which it determined that three priority themes should guide the work of the Commission, one of which included money laundering, "Recalling also Commission on Crime Prevention and Criminal Justice resolution 1/2 of 29 April 1992, on control of the proceeds of crime,

"Aware that the control of proceeds of crime is an essential element in the struggle against organized and transnational crime,

"Convinced that international action against organized and transnational crime requires, in addition to intensified law enforcement, concerted efforts to prevent and control the laundering of proceeds of crime as an essential means of impoverishing criminal organizations,

"Convinced also that the effective control of proceeds of crime requires concerted global action to curb the capacity of criminal organizations to transfer proceeds of their illegal activities across national frontiers by taking advantage of gaps in international cooperation,

"Convinced further that criminal organizations engage in a multitude of criminal activities generating illicit profits and that international action aimed at controlling proceeds of crime can therefore only be effective if it takes into account all aspects of the problem,

"Noting with appreciation the efforts already undertaken by the Financial Action Task Force established by the heads of State or Government of the Group of Seven major industrialized countries and the President of the Commission of the European Communities, as well as the efforts of the Council of Europe, the European Community and the Inter-American Drug Abuse Control Commission of the Organization of American States,

"Recalling the recommendations contained in the Global Programme of Action adopted by the General Assembly at its seventeenth special session (General Assembly resolution S-17/2, annex, of 23 February 1990), on measures to be taken against the effects of money derived from, used in or intended for use in illicit drug trafficking, illegal financial flows and illegal use of the banking system,

"Welcoming Commission on Narcotic Drugs resolution [L.10] (XXXVI) of 7 April 1993,

"1. Requests the Crime Prevention and Criminal Justice Branch:

"(a) To continue studying the problem of controlling proceeds of crime;

"(b) To continue collecting relevant information on national legislation and its implementation;

"(c) To consider identifying areas of interest to criminal organizations with a view to evaluating the efficiency and effectiveness of measures taken to control proceeds derived from criminal activity;

"(d) To develop appropriate guidelines for the detection, investigation and prosecution of the laundering of proceeds of crime, in accordance with the recommendations developed by the Financial Action Task Force established by the heads of State or Government of the Group of Seven major industrialized countries and the President of the Commission of the European Communities, as well as recommendations developed by other relevant bodies;

"(e) To consider the possibility of developing guidelines to assist Governments, at their request, and of providing information to assist financial institutions in detecting, monitoring and controlling suspicious transactions and in preventing the infiltration of the legitimate economy by proceeds of crime;

"(f) To elaborate appropriate training material for use in providing practical assistance to Member States at their request;

"(g) To provide technical assistance to Member States, upon request, in drafting, revising and implementing relevant legislation, in organizing special investigation teams and in training law enforcement, investigative, prosecutorial and judicial personnel;

"2. *Invites* the Crime Prevention and Criminal Justice Branch to cooperate closely with the United Nations International Drug Control Programme in matters related to the control of proceeds of crime;

"3. *Welcomes with appreciation* the initiative of the Government of Italy and the International Scientific and Professional Advisory Council to organize, under the auspices of the Crime Prevention and Criminal Justice Branch, the International Conference on Laundering and Controlling Proceeds of Crime: a Global Approach, to be held in Italy in June 1994."

44. At the 15th meeting, on 23 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.14/Rev.1), submitted by Armenia, 36/ Australia, Belarus, 36/ Bolivia, Canada, 36/ Costa Rica, Cuba, Egypt, 36/ Germany, Italy, Lebanon, 36/ Malaysia, Malta, 36/ Oman, 36/ Peru, the Philippines, the Russian Federation, Saudi Arabia, Tunisia, Uruguay and Zimbabwe. 36/

45. At the same meeting, following statements by the representatives of China, Italy, Cuba, Finland, Bolivia and France, it was proposed to amend operative paragraph 1 (d) by replacing the words "relevant entities, both within and outside the United Nations," with the words "United Nations bodies concerned and other relevant entities".

46. At the same meeting, the Commission adopted the draft resolution, as orally amended (see chap. I, sect. A, draft resolution V).

Strengthening of the United Nations crime prevention and criminal justice programme

47. At the 10th meeting, on 20 April, the representative of Italy introduced a draft resolution (E/CN.15/1993/L.15) entitled "Strengthening of the United Nations crime prevention and criminal justice programme". Subsequently, Argentina, 36/ Austria, Bolivia and Turkey 36/ joined in sponsoring the draft resolution, which read as follows:

"The Economic and Social Council,

"Recalling General Assembly resolution 46/152 of 18 December 1991, in which the Assembly requested the Secretary-General to give a high level of priority to the activities of the United Nations crime prevention and criminal justice programme,

"Recalling also General Assembly resolution 47/91 of 16 December 1992,

"Recalling further its resolution 1992/22 of 30 July 1992, in section V of which it accorded high priority to the United Nations crime prevention and criminal justice programme and requested an appropriate share of the overall resources of the United Nations for the programme,

"Convinced that the Crime Prevention and Criminal Justice Branch can only be effective if it is provided with resources that are commensurate with its requirements and that allow it to implement its mandates and to respond in a timely and efficient manner to the increasing requests of Member States for its services,

"Taking note of the report of the Secretary-General on the progress made in the implementation of Economic and Social Council resolution 1992/22 (E/1993/10),

"Deeply concerned over the undue delay in the implementation of General Assembly resolutions 46/152 and 47/91 and Council resolution 1992/22, with respect to strengthening, as resources permit, the United Nations crime prevention and criminal justice programme and upgrading the Crime Prevention and Criminal Justice Branch into a division;

"1. Reaffirms the importance of the United Nations crime prevention and criminal justice programme and the crucial role it has to play in promoting international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality, and in enabling Member States to achieve the goals of preventing crime within and among States and of improving the response to crime;

"2. Reaffirms also the importance of the role of the Commission on Crime Prevention and Criminal Justice as the principal policy-making body for the activities of the United Nations in the field of crime prevention and criminal justice;

"3. Reaffirms further its decision, contained in its resolution 1992/22, section V, to accord high priority to the United Nations crime prevention and criminal justice programme, in accordance with General Assembly resolution 46/152, and to request an appropriate share of the overall resources of the United Nations for the programme;

"4. Requests the Secretary-General, as a matter of urgency, to give effect to General Assembly resolutions 46/152 and 47/91 and to Council resolution 1992/22 by strengthening the Branch and by providing it with the resources required for the full implementation of its mandates;

"5. Also requests the Secretary-General to upgrade the Crime Prevention and Criminal Justice Branch into a division, headed by a Director;

"6. Takes note of the proposed programme of work in crime prevention and criminal justice for the biennium 1994-1995 (E/CN.15/1993/CRP.5), presented to the Commission on Crime Prevention and Criminal Justice at its second session, and requests the Secretary-General to reflect it in the preparation of the programme budget for the biennium 1994-1995;

"7. Invites the Committee for Programme and Coordination, the Advisory Committee on Administrative and Budgetary Questions and the General Assembly to give favourable consideration to the proposals of the Secretary-General pursuant to the present resolution;

"8. Requests the Secretary-General to report to the Economic and Social Council at its substantive session in 1994, through the Commission on Crime Prevention and Criminal Justice, on progress in the implementation of Council resolution 1992/22 and on the implementation of the present resolution."

48. At the same meeting, the representatives of Uganda and Germany made statements.

49. At the 14th meeting, on 22 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.15/Rev.1), submitted by Argentina, [36] Austria, Bolivia, Italy, Malta, [36] Poland, Tunisia and Turkey. [36]

50. At the same meeting, the Commission adopted the revised draft resolution (see chap. I, sect. A, draft resolution VI).

Chapter III

TECHNICAL COOPERATION

1. The Commission considered agenda item 4 at its 7th and 8th meetings, on 16 and 19 April. It had before it the following documents:

(a) Report of the Secretary-General on progress made in the implementation of Economic and Social Council resolution 1992/22 (E/1993/10);

(b) Report of the Secretary-General on the need to identify the most practical course of action to fully operationalize the United Nations crime prevention and criminal justice programme, including financial possibilities (E/CN.15/1993/5);

(c) Conference room paper on operational activities completed by or proposed to the Crime Prevention and Criminal Justice Branch since the first session of the Commission (E/CN.15/1993/CRP.9).

2. Reference was made to the clear directions provided by the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, held in Paris from 21 to 23 November 1991 (A/46/703 and Corr.1) and by the Economic and Social Council in its resolution 1992/22 of 30 July 1992, adopted on the recommendation of the Commission at its first session, to give primary attention to operational activities in the field of crime prevention and criminal justice. The Commission was informed that the Branch, in cooperation with the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), had organized an informal international meeting on providing assistance in crime prevention and criminal justice. The meeting, held at Vienna on 11 and 12 February 1993, had focused on the experiences of a number of countries and organizations providing such assistance in central and eastern Europe. It had identified a number of problems, most of which were related to the lack of coordination of technical assistance efforts, and had recommended the establishment of a central register to include technical cooperation projects worldwide in the field of crime prevention and criminal justice.

3. All Member States emphasized that such technical cooperation activities were of paramount interest to developing countries and countries in transition. Technical cooperation was recognized as a means of enhancing the capacity to prevent or control crime in those countries and of contributing to the achievement of that aim globally. One of the main purposes of technical cooperation in crime prevention and criminal justice should be institution-building with a view to fostering development in all fields. It was essential for such technical assistance to be an integral part of development efforts.

4. Several speakers emphasized that technical cooperation should be the keystone of the programme. It was stated that technical assistance should be in the form of advisory services in policy-making, institution-building and legal and procedural reform, as well as in upgrading professional skills of law enforcement and other criminal justice personnel. A number of speakers said that there was a need for equipment to be made available. The aim of technical assistance should be to enable Member States to structure their

criminal justice systems in a manner that would permit effective responses to crime. Without such technical cooperation, developing countries could not properly participate in implementing United Nations standards and norms in the field of crime prevention and criminal justice. Given the linkages between the various components of the criminal justice system, technical assistance should be offered in a complementary manner, addressing the needs of each component. It was mentioned that technical assistance should be provided under the guidance of the Commission and should be expanded to include such areas as environmental crime countermeasures and control of the proceeds of crime.

5. Several speakers welcomed the establishment of a new subprogramme on operational activities, planning and overall coordination. They said that it would greatly contribute to efforts to provide practical assistance to Member States. It was noted that the Branch had made significant progress in that direction, in spite of severe financial constraints. The Commission welcomed the information provided in document E/CN.15/1993/CRP.9 and recommended that it should continue to receive such information in the future. It was emphasized that, unless additional resources were provided, it would be impossible for the Branch to fully implement its mandates and to provide timely responses to requests from Member States for its services. The Branch lacked the institutional capacity to properly meet requests for technical assistance. It was emphasized that the Branch should be appropriately strengthened and upgraded to a division, in accordance with General Assembly resolution 46/152, annex, of 18 December 1991.

6. Several speakers stressed that, in addition to providing the appropriate regular budget resources, it was necessary to encourage Governments, particularly those of developed countries, to contribute to the United Nations Crime Prevention and Criminal Justice Fund, thus enabling the programme to properly respond to the numerous requests from Governments of developing countries and from special United Nations operations, such as peace-keeping operations. Furthermore, funding agencies should be urged to include crime prevention and criminal justice among their areas of priority.

7. Some representatives expressed their interest in the creation of a foundation for crime prevention and criminal justice, a proposal that had been discussed by the Commission at its first session (E/1992/30, para. 30). One Member State had recently provided the Secretariat with a document on the proposal, copies of which had been dispatched to all other Member States for comments and suggestions. As the Secretariat had not yet received any responses to the document, it was not in a position to report on the proposal and the Commission was unable to discuss the issue in detail. The Commission agreed that further discussion of the proposal would be deferred to its third session, in order to give Member States more time to advise the Secretariat of their positions on the proposal.

8. The observer for Ukraine stated that his Government intended to officially request the Branch to organize a needs assessment mission to his country with a view to formulating appropriate projects in drafting and implementing penal and procedural legislation and in restructuring and further developing its criminal justice system.

9. The representative of the Philippines stated that his Government intended to officially request the Branch to support its project on the establishment of group living facilities for delinquent youth and street children, referred to in document E/CN.15/1993/CRP.9.

10. Corruption was identified as a serious problem, particularly in the African region, which should be addressed by, among other things, technical cooperation activities.

11. Many representatives welcomed the recommendations contained in the report of the Secretary-General on the need to identify the most practical course of action to fully operationalize the programme (E/CN.15/1993/5, para. 8), adding that they should be implemented in the near future. It was noted that the programme should direct attention to the coordination of ongoing technical cooperation efforts. Several speakers described training programmes offered at the national level. Others reported on extensive programmes involving bilateral cooperation. Some felt that efforts should be made by the Branch to assist, in particular by promoting exchanges of information, in coordinating the multilateral and bilateral activities carried out under those programmes.

12. A number of representatives suggested that the roster of experts should include experts in developing countries, who could provide valuable input to the programme. In technical cooperation projects, the experiences of developing countries should be regarded as a main point of reference. It was stated that experts involved in operational activities, especially legislative reform, should be familiar with the existing laws, history and culture of the requesting State. In providing advisory services, a range of options should be offered so that the State concerned could select the alternative most suitable to its needs under the prevailing circumstances. The training that had been offered had been useful; however, efforts should continue to be made to ensure that training activities were responsive to the particular requirements of States. Some speakers stated that the evaluation of technical cooperation activities was important and should be an integral part of all projects. The results of technical cooperation projects should be made available to the Commission on a regular basis. It was suggested that Member States should appoint national coordinators to organize the requests from various domestic agencies, as well as to coordinate the provision of assistance from external sources. The Secretariat should be informed of such appointments and of action taken on such requests.

13. Many speakers focused on the value of involving in operational activities the interregional and regional institutes in crime prevention and criminal justice, given their experience and their knowledge of the problems faced in individual regions. It was noted that the results of training workshops and research findings of the institutes should be publicized and utilized more widely. The observers for three regional institutes provided details on their training programmes. It was emphasized that non-governmental organizations, because of their focus on specific problem areas and their considerable experience and expertise, also had valuable contributions to make in operational activities. The useful contributions of the International Scientific and Professional Advisory Council were mentioned. Finally, one representative stressed that, to strengthen national capabilities, more innovative practices should be introduced, such as community policing, the implementation of special measures to deal with urban delinquency, including

the provision of care for street children, and the creation of crime prevention councils.

14. A number of speakers referred to the contributions that the programme had made to the special missions of the United Nations, especially United Nations peace-keeping and peace-making operations. In particular, reference was made to the involvement of the programme in Cambodia and in former Yugoslavia, where various manuals, codes and training material had been or were being developed, based on existing United Nations instruments in the field of crime prevention and criminal justice.

Action taken by the Commission

Crime prevention and criminal justice information management

15. At the 10th meeting, on 20 April, the representative of Australia introduced a draft resolution (E/CN.15/1993/L.8) entitled "Crime prevention and criminal justice information management", and orally revised it as follows:

(a) In section II, paragraph 1, which read:

> "*Requests* the Secretary-General to intensify work in the area of modernization of criminal justice administration",

was replaced by the following text:

> "*Requests* the Secretary-General to continue and intensify work efforts directed to the modernization of criminal justice techniques and administration, with special attention to the needs of developing countries, including the introduction of compatible information technology to facilitate the administration of criminal justice and to strengthen practical cooperation on crime control between Member States";

(b) In section III, paragraph 2, the words "as resources permit" were inserted between the words "Requests the Secretary-General" and "to allocate";

(c) In section III, paragraph 4, the words "as resources permit" were inserted at the end of the chapeau, after the word "Secretary-General".

16. Subsequently, Argentina, 36/ Canada 36/ Finland, the Netherlands 36/ and the Philippines joined in sponsoring the draft resolution, which, as orally revised, read as follows:*

> "*The Economic and Social Council*,
>
> "*Recalling* General Assembly resolution 45/109 of 14 December 1990, entitled "Computerization of criminal justice",

---

* For action taken on the draft resolution, see chap. IV, para. 13.

"*Recalling also* its resolution 1992/22, section VI, of 30 July 1992, in which it determined the three priority themes that should guide the work of the Commission on Crime Prevention and Criminal Justice in the development of a detailed programme, including 'efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies',

"*Convinced* that the United Nations crime prevention and criminal justice programme should provide the necessary operational perspective to Member States, thus assisting them in modernizing their criminal justice systems,

"*Aware* that introduction of modern criminal justice techniques requires education and training of criminal justice personnel,

"*Mindful* that computer-assisted collection, management and distribution of crime prevention and criminal justice information are of growing importance to the effective and humane administration of criminal justice systems,

"*Aware* that, in its resolution 1992/22, it recalled General Assembly resolution 46/152 of 18 December 1991, in which the Assembly emphasized the practical orientation of the United Nations crime prevention and criminal justice programme and decided that it should provide States with practical assistance, such as data collection, information and experience sharing, and training, in order to achieve the goals of preventing crime and improving the response to it,

"*Recalling* that in its resolution 1992/22, section VI, it determined that the majority of programme resources on the provision of training, advisory services and technical cooperation should be concentrated in a limited number of areas of recognized need, taking into account the need for technical assistance to developing countries, and that, in implementing special operational activities and advisory services in situations of urgent need, the Secretariat should place major emphasis on serving as a broker and clearing-house,

"*Expressing its appreciation* to the Bureau of Justice Statistics of the United States of America and the State University of New York at Albany, United States of America, for their strong support in the development of the United Nations Criminal Justice Information Network,

"I. COLLECTION OF INFORMATION

"1. *Takes note* of the report of the Secretary-General on the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations and on coordination of activities with other United Nations bodies (E/CN.15/1993/2), the ongoing activities of the Secretariat concerning the Fourth United

Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies, and other initiatives under way in order to acquire, process and distribute crime prevention and criminal justice data for the benefit of Member States and criminal justice professionals;

"2. Reaffirms the usefulness of these information activities in crime prevention and criminal justice policy development and programme planning;

"3. Strongly encourages Governments to continue to reply promptly to requests of the Secretary-General for crime prevention and criminal justice data in order to ensure that those data can be processed and provided to all Member States and other interested parties in a timely and efficient manner;

"II. MANAGEMENT OF INFORMATION

"1. Requests the Secretary-General to continue and intensify work efforts directed to the modernization of criminal justice techniques and administration, with special attention to the needs of developing countries, including the introduction of compatible information technology to facilitate the administration of criminal justice and to strengthen practical cooperation on crime control between Member States;

"2. Encourages Member States, the private sector and criminal justice professionals to exchange proposals, information on projects and innovations enhancing criminal justice operations through the United Nations Crime Prevention and Criminal Justice Branch;

"III. DISTRIBUTION OF INFORMATION

"1. Invites Member States to contribute to the United Nations Crime Prevention and Criminal Justice Fund in order to augment the resources available for the implementation of the present resolution;

"2. Requests the Secretary-General, as resources permit, to allocate the necessary services for the transfer of the management and daily operations of the United Nations Criminal Justice Information Network to the Crime Prevention and Criminal Justice Branch;

"3. Invites Member States to consider the provision of extrabudgetary resources, including but not restricted to the secondment of computer-programming professionals with criminal justice experience, to the Secretariat in order to assist in the orderly transfer of the United Nations Criminal Justice Information Network, and to provide support for its further logistical and substantive development;

"4. Requests the Secretary-General, as resources permit:

"(a) To strengthen and expand the clearing-house functions of the United Nations Crime Prevention and Criminal Justice Branch;

"(b) To organize training courses that would enable criminal justice professionals to acquaint themselves with the services of the United Nations Criminal Justice Information Network;

"(c) To establish a support system for developing countries that would, among other things, ensure that basic costs connected with the provision of the necessary modalities, including the costs of membership in the United Nations Criminal Justice Information Network and transmission costs, are covered."

Chapter IV

UNITED NATIONS STANDARDS AND NORMS IN THE FIELD OF CRIME PREVENTION AND CRIMINAL JUSTICE

1. The Commission considered agenda item 5 at its 4th meeting, on 14 April. It had before it the following documents:

(a) Report of the Secretary-General on existing United Nations standards and norms, which serve as recommendations to Member States, in the field of crime prevention and criminal justice in the light of and including their use and application (E/CN.15/1993/6);

(b) Statement submitted by a number of non-governmental organizations in consultative status with the Economic and Social Council (E/CN.15/1993/NGO/1);

(c) Statement submitted by Prison Fellowship International, a non-governmental organization in consultative status with the Economic and Social Council (E/CN.15/1993/NGO/2).

2. All speakers recognized the importance of the United Nations standards and norms in the field of crime prevention and criminal justice. Human rights issues were closely linked with criminal justice concerns; they were complementary and mutually reinforcing. As crime became more complex and difficult to control, the operation of high standards and fairness also became increasingly important. One of the principal requirements for effective national protection of human rights in the administration of justice was the existence of effective national law and institutions. Therefore, in focusing on criminal justice matters, human rights should be taken into account.

3. It was recognized that United Nations standards and norms in crime prevention and criminal justice constituted internationally accepted principles outlining desired practices in that field. Those standards and norms had been used in the formulation of national legislation in the field of crime control in various countries. United Nations model treaties were being taken into account in concluding bilateral and multilateral agreements. But there was still a substantial amount of work to be done on the application of United Nations standards, norms and guidelines. Many speakers emphasized the significance of the use and application of those standards and norms at the national, regional and interregional levels.

4. It was important for the Branch to cooperate closely with the United Nations entities in the field of human rights. Some important aspects of United Nations activities in the field of human rights were directly linked to those of the United Nations crime prevention and criminal justice programme. The World Conference on Human Rights, to be held at Vienna from 14 to 25 June 1993, was expected to provide a welcome opportunity to strengthen cooperation and promote coordination between the two programmes.

5. Many speakers stressed that United Nations standards and norms in crime prevention and criminal justice should be an integral part of technical cooperation projects. The provision of technical assistance and advisory services, including personnel training, and the preparation and use of

handbooks and manuals were the best means of effectively enhancing the use and application of those standards and norms. The interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice were playing a crucial role in that regard. United Nations standards and norms provided a basis for training courses, seminars and workshops.

6. It was suggested that the Commission might select a few United Nations instruments for immediate action and focus its attention on ways and means of enhancing their effective use and application. Some representatives stated that the national character and capacity of each country, as well as its social, economic, cultural and political conditions, should be taken into consideration in the application of the United Nations standards and norms.

Action taken by the Commission

United Nations standards and norms in the field of crime prevention and criminal justice

7. At the 10th meeting, on 20 April, the representative of Costa Rica, on behalf of Costa Rica, Gabon, Italy and Nicaragua, introduced a draft resolution (E/CN.15/1993/L.5) entitled "United Nations standards and norms in the field of crime prevention and criminal justice". Subsequently, Austria and Uruguay joined in sponsoring the draft resolution, which read as follows:*

"*The Economic and Social Council*,

"*Bearing in mind* General Assembly resolution 46/152 of 18 December 1991, on the creation of an effective United Nations crime prevention and criminal justice programme,

"*Also bearing in mind* General Assembly resolution 46/120 of 17 December 1991, on human rights in the administration of justice,

"*Further bearing in mind* General Assembly resolution 47/91 of 16 December 1992, on crime prevention and criminal justice,

"*Recalling* Economic and Social Council resolution 1992/22 of 30 July 1992, in section VII of which the Council, *inter alia*, decided that the Commission on Crime Prevention and Criminal Justice should include in its agenda, beginning with its second session, a standing item on the existing United Nations standards and norms in the field of crime prevention and criminal justice,

"*Also recalling* Economic and Social Council resolution 1990/21 of 24 May 1990, on the implementation of United Nations standards and norms in crime prevention and criminal justice,

---

* For action taken on the draft resolution, see para. 13 below.

"*Taking note* of the report of the Pre-sessional Working Group of the former Committee on Crime Prevention and Control on Implementation of United Nations Standards and Norms in Crime Prevention and Criminal Justice (E/AC.57/1990/WG.2),

"*Also taking note* of the recommendations of the Meeting of Experts for the Evaluation of Implementation of United Nations Norms and Guidelines in Crime Prevention and Criminal Justice (E/CN.15/1992/4/Add.4),

"1. *Reaffirms* the importance of the full and effective implementation of United Nations standards in crime prevention and criminal justice;

"2. *Underlines* the need for further coordination and concerted action in translating these standards into practice;

"3. *Invites* Governments to pay due attention to these standards and to ensure their widest possible dissemination;

"4. *Invites* the Commission on Crime Prevention and Criminal Justice to continue to give special attention to the application and use of United Nations standards in crime prevention and criminal justice;

"5. *Welcomes* the publication of the English version of the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*;

"6. *Requests* the Secretary-General:

"(a) To assist Member States, at their request, in implementing existing United Nations standards in crime prevention and criminal justice;

"(b) To ensure the widest possible dissemination of the texts of these standards, including publication of the *Compendium* in the other five official United Nations languages;

"(c) To strengthen and coordinate activities in this field, including advisory services, training programmes and fellowships, with a view to undertaking joint programmes and developing collaborative mechanisms;

"7. *Emphasizes* the importance of cooperation with the interregional and regional institutes in the area of crime prevention and criminal justice and of intergovernmental and non-governmental organizations in this field."

8. At the 12th meeting, on 21 April, the Commission had before it recommendations of the working group on United Nations standards and norms in the field of crime prevention and criminal justice (E/CN.15/1993/L.11),

chaired by the Vice-Chairman of the Commission, Miguel Langon Cuñarro (Uruguay), which read as follows:*

"1. The working group on United Nations standards and norms in the field of crime prevention and criminal justice recommends that the Commission:

"(a) Should reaffirm the importance of United Nations standards, norms and guidelines in crime prevention and criminal justice;

"(b) Should focus on the promotion of the use and application of United Nations standards, norms and guidelines in crime prevention and criminal justice, while recognizing the social, cultural and economic conditions of Member States;

"(c) Should invite Governments to pay due attention to the United Nations standards, norms and guidelines in crime prevention and criminal justice and to enhance their widest possible dissemination;

"(d) Should propose the widest possible dissemination of the texts of the standards contained in the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice (United Nations publication, Sales No. E.92.IV.1), which has been published only in English, and should encourage its reprint in English and its publication in the other five official United Nations languages;

"(e) Should recognize the important role that institutes and non-governmental organizations play in promoting the use and application of the United Nations standards and norms in the administration of justice;

"(f) Should request the Secretary-General, through the Economic and Social Council:

"(i) To assist Member States, at their request, in implementing existing United Nations standards in crime prevention and criminal justice;

"(ii) To strengthen and coordinate activities in this field, including advisory services, training programmes and fellowships, with a view to undertaking joint programmes and developing collaborative mechanisms;

"(iii) To resume without delay the process of information-gathering undertaken by means of surveys, augmented by other sources of information, from, for example, regional institutes and non-governmental organizations, initially paying attention to the United Nations standards, norms and guidelines listed in paragraph 2 (a) below. The surveys should be conducted over a two-year period in order to enable Member States to have sufficient time to provide replies. The results of the first resumed surveys should be considered at the earliest possible session of the Commission.

---

* For action taken on the recommendations, see para. 13 below.

"2. The working group recommends that the Commission should establish, at its third session, an open-ended in-sessional working group, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1) and subject to the consideration of financial implications, in order to discuss, inter alia, the following issues:

"(a) The role of the United Nations in promoting the use and application of the following standards, norms and guidelines:*

"(i) The Standard Minimum Rules for the Treatment of Prisoners (United Nations publication, Sales No. 1956.IV.4, annex I.A);

"(ii) The Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex), together with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (United Nations publication, Sales No. E.91.IV.2, chap. I, sect. B.2, annex);

"(iii) The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34, annex);

"(iv) The Basic Principles on the Independence of the Judiciary (United Nations publication, Sales No. E.86.IV.1, chap. I, sect. D.2, annex);

"(b) The reconsideration of the present reporting system;

"(c) The question of additional or alternative sources of information;

"(d) Measures to improve information dissemination, education and technical assistance to enhance implementation.

"3. The working group recommends that the Commission invite the World Conference on Human Rights and its Preparatory Committee to bear in mind the existence of important United Nations standards and norms in the administration of justice."

"* This selection does not imply any priority of these over other standards, norms and guidelines. It is assumed that a further selection would take place at successive sessions of the Commission.

Implementation of General Assembly resolutions 46/152 and 47/91 and Economic and Social Council resolution 1992/22, concerning crime prevention and criminal justice

9. At the 13th meeting, on 22 April, the representative of Australia, also on behalf of Costa Rica, Italy and Tunisia, introduced a draft resolution (E/CN.15/1993/L.20) entitled "Implementation of General Assembly resolutions 46/152 and 47/91 and Economic and Social Council resolution 1992/22, concerning crime prevention and criminal justice". The draft resolution was submitted on the basis of informal consultations held on documents E/CN.15/1993/L.5, L.8, L.10, L.11, L.16 and L.17 read as follows:

"The Economic and Social Council,

"Bearing in mind General Assembly resolution 46/152 of 18 December 1991, on the creation of an effective United Nations crime prevention and criminal justice programme,

"Recalling General Assembly resolution 45/109 of 14 December 1990, on computerization of criminal justice,

"Bearing in mind General Assembly resolution 46/120 of 17 December 1991, on human rights in the administration of justice,

"Also bearing in mind General Assembly resolution 47/91 of 17 December 1991, on crime prevention and criminal justice,

"Further bearing in mind its resolution 1992/22, section VI, of 30 July 1992, in which it determined the three priority themes that should guide the work of the Commission on Crime Prevention and Criminal Justice in the development of a detailed programme,

"Recalling that in its resolution 1992/22, section VII, it, inter alia, decided that the Commission should include in its agenda, beginning with its second session, a standing item on the existing United Nations standards and norms in the field of crime prevention and criminal justice,

"Recalling its resolution 1990/21 of 24 May 1990, on the implementation of United Nations standards and norms in crime prevention and criminal justice,

"Taking note of the report of the Pre-sessional Working Group of the former Committee on Crime Prevention and Control on Implementation of United Nations Standards and Norms in Crime Prevention and Criminal Justice (E/AC.57/1990/WG.2),

"Also taking note of the recommendations of the Meeting of Experts for the Evaluation of Implementation of United Nations Norms and Guidelines in Crime Prevention and Criminal Justice (E/CN.15/1992/4/Add.4),

"Recalling section I of its resolution 1992/22, entitled 'Strengthening the operational capacity of the United Nations crime prevention and criminal justice programme, especially operational activities and advisory services',

"Conscious that preventing and controlling crime is a growing challenge for most Member States and the international community as a whole,

"Convinced that developing crime prevention and criminal justice skills is necessary to strengthen the rule of law and to promote democracy,

"Alarmed by the negative impact of criminal activities on the development process in many countries, particularly in developing countries and countries in transition,

"Bearing in mind the urgent need of least developed countries for assistance, particularly in training crime prevention and criminal justice officials and practitioners,

"Conscious of the relationship between national crime and more sophisticated forms of transnational criminal activities,

"Convinced that effective action against crime requires increased technical cooperation activities at the international level, in order to provide appropriate assistance to Member States whose capacity to deal with crime-related issues is insufficient and to tackle serious forms of international criminal activity, such as transnational and organized crime,

"Recalling that in General Assembly resolution 46/152, the Assembly emphasized the practical orientation of the United Nations crime prevention and criminal justice programme and decided that the programme should provide States with practical assistance, such as data collection, information and experience sharing and training, in order to achieve the goals of preventing crime and improving the response to it,

"Concerned by the disparity between the need for technical assistance and the resources available for the United Nations crime prevention and criminal justice programme,

"Recalling that in its resolution 1992/22, section VI, it determined that the majority of programme resources on the provision of training, advisory services and technical cooperation should be concentrated in a limited number of areas of recognized need, taking into account the need for technical assistance to developing countries, and that, in implementing special operational activities and advisory services in situations of urgent need, the Secretariat should place major emphasis on serving as a broker and clearing-house,

"Convinced that the United Nations crime prevention and criminal justice programme should provide the necessary operational perspective to Member States, thus assisting them in modernizing their criminal justice systems, "*Aware* that the introduction of modern criminal justice techniques requires education and training of criminal justice personnel,

"*Mindful* that computer-assisted collection, management and distribution of crime prevention and criminal justice information are of growing importance to the effective and humane administration of criminal justice systems,

"*Expressing its appreciation* to the Bureau of Justice Statistics of the United States Department of Justice and the State University of New York at Albany, United States of America, for their strong support in the development of the United Nations Criminal Justice Information Network,

"*Recalling* resolution 1/2 of 29 April 1992 of the Commission on Crime Prevention and Criminal Justice on Narcotic Drugs resolution 1 (XXXV), 4 (XXXV) and 11 (XXXV) of 15 April 1992 and Commission on Human Rights resolution 1992/31 of 13 February 1992,

"*Reaffirming* that the prevention and control of crime require effective concerted and multidisciplinary action at the national, regional and international levels,

"*Convinced* that the scope of international cooperation in all fields of crime prevention and criminal justice should be extended and increased as a matter of utmost importance and that technical assistance programmes in crime prevention and criminal justice should be expanded and strengthened as a matter of urgency,

"*Alarmed* by the fact that large financial profits derived from criminal activity may enable transnational criminal organizations to penetrate, infect and corrupt the structure of Governments, legitimate commercial activities and society at large, thereby impeding economic and social development, hampering law and order, undermining the foundation of States and preventing good governance,

"I. REVIEW OF PRIORITY THEMES

"1. *Reaffirms* the priority themes formulated by the Commission on Crime Prevention and Criminal Justice at its first session and contained in Economic and Social Council resolution 1992/22, section VI;

"2. *Invites* Member States to prepare and circulate in advance of each session proposals on specific objectives and activities as recommended in Commission resolution 1/1 of 29 April 1992, entitled 'Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme', underlining the importance for the third and subsequent sessions of the Commission of implementing the mechanisms, referred to in paragraphs 32-35 of the annex to that resolution, for determining the objectives and the specific activities of the programme;

"II. OPERATIONAL ACTIVITIES OF THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE PROGRAMME

"1. Welcomes with appreciation the efforts undertaken by the Secretariat to carry out operational activities, notably setting up projects to be implemented in developing countries and countries in transition and participating in and contributing to the work of peace-keeping operations, such as those of the United Nations Transitional Authority in Cambodia and the United Nations Protection Force;

"2. Notes with appreciation the cooperation between the Crime Prevention and Criminal Justice Branch and other United Nations entities, such as the United Nations International Drug Control Programme and the Centre for Human Rights of the Secretariat, and recommends that such cooperation be expanded and intensified;

"3. Also notes with appreciation the support provided by some Member States in organizing training seminars, inter alia, by providing funding and in-kind expertise;

"4. Requests the Secretary-General to continue elaborating, in accordance with the programme priorities, training curricula that could be implemented in Member States upon request and adapted to particular national or regional conditions and requirements, using new and existing materials such as manuals and other publications, United Nations guidelines, minimum rules and model treaties on crime prevention and criminal justice;

"5. Also requests the Secretary-General to develop basic courses on United Nations norms and guidelines for peace-keeping, peace-building and emergency mission personnel and their national counterparts, designed to restore or upgrade criminal justice systems and to respond rapidly to emergent requests in such missions;

"6. Further requests the Secretary-General to ensure the involvement of the Crime Prevention and Criminal Justice Branch in the planning of such missions;

"7. Further requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its third session on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme, including appropriate mechanisms for the mobilization of resources;

"8. Further requests the Secretary-General to strengthen the institutional capacity of the United Nations crime prevention and criminal justice programme by providing the Secretariat with adequate human and financial resources to enable it to elaborate, execute and evaluate operational activities and advisory services upon request by Member States;

"9. Calls upon Member States to contribute to the United Nations Crime Prevention and Criminal Justice Fund in order to augment the implementation of technical assistance projects;

"10. Recommends to Member States that they should integrate crime prevention and criminal justice components into their priority areas for development, so as to better address crime-related issues in the context of national development;

"11. Reaffirms the importance of technical cooperation among developing countries;

"12. Recognizes the relevance of the close cooperation between the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice and the Crime Prevention and Criminal Justice Branch to the development of technical assistance and research projects at the regional and interregional levels, taking into account regional characteristics and traditions of the various criminal justice systems;

"III. UNITED NATIONS STANDARDS AND NORMS IN CRIME PREVENTION AND CRIMINAL JUSTICE

"1. Reaffirms the importance of United Nations standards, norms and guidelines in crime prevention and criminal justice;

"2. Underlines the need for further coordination and concerted action in translating those standards into practice;

"3. Invites the Commission on Crime Prevention and Criminal Justice to focus on the promotion of the use and application of United Nations standards, norms and guidelines in crime prevention and criminal justice, while recognizing the social, cultural and economic conditions of Member States;

"4. Invites Governments to pay due attention to the United Nations standards, norms and guidelines in crime prevention and criminal justice and to enhance their widest possible dissemination;

"5. Requests the Secretary-General to ensure the widest possible dissemination of the texts of the standards contained in the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice (United Nations publication, Sales No. E.92.IV.1), which has been published only in English, calls for the reprint of the Compendium in English and its publication in the other five official United Nations languages and invites Member States and other interested entities to support the Secretary-General in that endeavour;

"6. Recognizes the important role that the United Nations Interregional Crime and Justice Research Institute and the institutes associated or affiliated with the United Nations and non-governmental organizations play in promoting the use and application of the United Nations standards and norms in the administration of justice;

"7. Requests the Secretary-General:

"(a) To assist Member States, at their request, in implementing existing United Nations standards in crime prevention and criminal justice;

"(b) To strengthen and coordinate activities in this field, including advisory services, training programmes and fellowships, with a view to undertaking joint programmes and developing collaborative mechanisms;

"(c) To resume without delay the process of information-gathering undertaken by means of surveys, augmented by other sources of information, from, for example, regional institutes and non-governmental organizations, initially paying attention to the United Nations standards, norms and guidelines listed in paragraph 8 (a) below; the surveys should be conducted over a two-year period in order to enable Member States to have sufficient time to provide replies; the results of the first resumed surveys should be considered at the earliest possible session of the Commission;

"8. Requests the Commission to establish, at its third session, an open-ended in-sessional working group, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1) and subject to the consideration of financial implications, in order to discuss, *inter alia*, the following issues:

"(a) The role of the United Nations in promoting the use and application of the following standards, norms and guidelines:

"(i) The Standard Minimum Rules for the Treatment of Prisoners (United Nations publication, Sales No. 1956.IV.4, annex I.A);

"(ii) The Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex), together with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (United Nations publication, Sales No. E.91.IV.2, chap. I, sect. B.2, annex);

"(iii) The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34, annex);

"(iv) The Basic Principles on the Independence of the Judiciary (United Nations publication, Sales No. E.86.IV.1, chap. I, sect. D.2, annex);

"(b) The reconsideration of the present reporting system;

"(c) The question of additional or alternative sources of information;

"(d) Measures to improve information dissemination, education and technical assistance to enhance implementation;

"9. Commends the World Conference on Human Rights and its Preparatory Committee for bearing in mind the existence of important United Nations standards and norms in the administration of justice;

"10. Calls upon the Commission on Crime Prevention and Criminal Justice to pay due attention to the results of the World Conference on Human Rights, to be held at Vienna in June 1993, as far as crime prevention and criminal justice issues are concerned;

"IV. CRIME PREVENTION AND CRIMINAL JUSTICE INFORMATION MANAGEMENT

"A. Collection of information

"1. Takes note of the report of the Secretary-General on the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations and on coordination of activities with other United Nations bodies (E/CN.15/1993/2), the ongoing activities of the Secretariat concerning the Fourth United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies, and other initiatives under way to acquire, process and distribute crime prevention and criminal justice data for the benefit of Member States and criminal justice professionals;

"2. Reaffirms the usefulness of these information activities in crime prevention and criminal justice policy development and programme planning;

"3. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its third session on progress made on the Fourth and Fifth Surveys of Crime Trends and Operations of Criminal Justice Systems, and other initiatives under way to acquire, process and distribute crime prevention and criminal justice data;

"4. Strongly encourages Governments to continue to reply promptly to requests of the Secretary-General for crime prevention and criminal justice data in order to ensure that those data can be processed and provided to all Member States and other interested parties in a timely and efficient manner;

"B. Management of information

"1. Requests the Secretary-General to intensify work in the area of modernization of criminal justice administration;

"2. Encourages Member States, the private sector and criminal justice professionals to exchange proposals, information on projects and innovations enhancing criminal justice operations through the Crime Prevention and Criminal Justice Branch;

"C. Distribution of information

"1. Invites Member States to contribute to the United Nations Crime Prevention and Criminal Justice Fund in order to augment the resources available for the implementation of the present resolution;

"2. Requests the Secretary-General to allocate the necessary services for the transfer of the management and daily operations of the United Nations Criminal Justice Information Network to the Crime Prevention and Criminal Justice Branch;

"3. Invites Member States to consider the provision of extrabudgetary resources, including but not restricted to the secondment of computer-programming professionals with criminal justice experience, to the Secretariat in order to assist in the orderly transfer of the United Nations Criminal Justice Information Network, and to provide support for its further logistical and substantive development;

"4. Requests the Secretary-General:

"(a) To strengthen and expand the clearing-house functions of the Crime Prevention and Criminal Justice Branch;

"(b) To organize training courses that would enable criminal justice professionals to acquaint themselves with the services of the United Nations Criminal Justice Information Network;

"(c) To establish a support system for developing countries that would, among other things, ensure that basic costs connected with the provision of the necessary modalities, including the costs of membership in the United Nations Criminal Justice Information Network and transmission costs, are covered;

"(d) To report to the Commission on Crime Prevention and Criminal Justice at its third session on progress made on the improvement of computerization in criminal justice management, with emphasis on strengthening national capacities for the collection, collation, analysis and utilization of the data;

"V. COOPERATION BETWEEN THE CRIME PREVENTION AND CRIMINAL JUSTICE BRANCH AND OTHER RELEVANT ENTITIES

"1. Welcomes with appreciation Commission on Narcotic Drugs resolution [L.11] (XXXVI) of 7 April 1993;

"2. Invites the various relevant entities of the United Nations system, including but not limited to the Office of Legal Affairs, the Department for Policy Coordination and Sustainable Development, the Department for Development Support and Management Services, the Department for Economic and Social Information and Policy Analysis, the United Nations International Drug Control Programme, the regional commissions, the Centre for Human Rights and the United Nations Environment Programme of the Secretariat, the United Nations Children's

Fund, the United Nations Development Programme, the World Health Organization and the United Nations Industrial Development Organization, to cooperate with the Crime Prevention and Criminal Justice Branch and to extend to it their support and assistance in implementing its mandates;

"3. Recommends that the Secretary-General should examine the possibility of resorting when appropriate to the expertise available in, or accessible through the Crime Prevention and Criminal Justice Branch in considering the establishment of international criminal courts;

"4. Invites Member States to ensure that their efforts and arrangements aimed at cooperation and coordination at the bilateral and regional levels take into account the relevant activities and work of the United Nations crime prevention and criminal justice programme;

"5. Decides to include in the provisional agenda for the third session of the Commission on Crime Prevention and Criminal Justice an item on coordination of activities in crime prevention and criminal justice and cooperation between the Crime Prevention and Criminal Justice Branch and other relevant entities and requests the Secretary-General to report on the subject, including follow-up to the survey carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations;

"6. Requests the Secretary-General to encourage and facilitate cooperation and coordination in accordance with the present resolution and to report on the subject to the Commission on Crime Prevention and Criminal Justice at its third session."

10. At the 15th meeting, on 23 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.20/Rev.1), submitted on behalf of Australia, Costa Rica, Italy and Tunisia and subsequently joined by Austria.

11. Following statements by the representatives of Finland, Australia, China, the Russian Federation and Cuba and the observers for Belarus, New Zealand, the United Kingdom of Great Britain and Northern Ireland and Canada, the following amendments were proposed to the draft resolution:

(a) An additional paragraph was added at the end of the preambular section, which read as follows:

"Noting, with respect to priority themes, the need to pay particular attention to such issues as organized crime in all its manifestations, money-laundering, the role of criminal law in the protection of the environment, the protection of cultural property from theft and smuggling, domestic violence, the computerization of the administration of criminal justice, juvenile delinquency and street crime";

(b) In section III, paragraph 7 (c), the words "by the United Nations Criminal Justice Information Network and by the United Nations network of national correspondents in the field of crime prevention and criminal justice" were replaced by the words "and contributions from other sources";

(c) In section III, paragraph 10, the words "at its third session" were inserted after the words "the Commission on Crime Prevention and Criminal Justice";

(d) In section V, a new paragraph was inserted after paragraph 2, which read as follows:

> "3. Decides to continue its close cooperation in this field with the Commission on Human Rights, the Commission for Social Development, the Commission on Narcotic Drugs, the Commission on the Status of Women and the specialized agencies in order to increase the efficiency and effectiveness of United Nations activities in areas of mutual interest and concern and to ensure coordination and avoidance of duplication;".

12. At the same meeting, the Commission adopted the draft resolution, as orally amended (see chap. I, sect. A, draft resolution VII).

13. In the light of the adoption of draft resolution E/CN.15/1993/L.20/Rev.1, the sponsors of draft resolutions E/CN.15/1993/L.5, L.8, L.10, L.11, L.16 and L.17 withdrew those draft resolutions.

Chapter V

PREPARATIONS FOR THE NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

1. The Commission considered agenda item 6 at its 5th and 6th meetings, on 15 April. It had before it the following documents:

(a) Report of the Secretary-General on progress made in the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1993/7 and Corr.1);

(b) Conference room paper on the research and demonstration workshops proposed for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1993/CRP.2);

(c) Draft discussion guide (E/CN.15/1993/L.1);

(d) Draft provisional rules of procedure for the Ninth Congress (E/CN.15/1993/L.2).

2. The Secretariat was praised for its efforts to restructure the methods of work of the United Nations congresses on the prevention of crime and the treatment of offenders. The transition of the congresses from a standard-setting forum to one focused mainly on the exchange of information on crime prevention efforts and practical experiences seemed to be moving smoothly.

3. The observer for Egypt reaffirmed what was announced by the Secretariat with respect to the formal invitation extended by his Government to act as host for the Ninth Congress. A preliminary inspection of the conference facilities available in his country had already been carried out by a United Nations team. Another invitation had been extended by his Government to the Secretariat to send a second mission to finalize its inspection work.

4. The representative of Tunisia announced to the Commission an official invitation by the Government of Tunisia to host the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

5. The representative of the Islamic Republic of Iran reiterated the offer of his Government to act as host for the Ninth Congress, which had been announced at the first session of the Commission and noted by the Commission in its report.

6. Several speakers expressed great interest in the plans to hold a number of workshops at the Ninth Congress. It was stated that the active participation of developing countries at those events should be ensured so that their experiences could be examined.

7. As for the topics for the workshops, the rule of law in the protection of the environment, extradition and mutual legal assistance, and the role of mass media in crime prevention were the ones most often described by speakers as being the most suitable. Other topics mentioned were computerization of

criminal justice information, crime prevention strategies in urban areas, particularly in relation to violent crime, and corruption among public officials. Some speakers said that a balance should be established between demonstration and research workshops.

8. Several speakers expressed their satisfaction with the timetable proposed by the Secretariat, according to which the Ninth Congress would take place before the fourth session of the Commission, thus enabling the Commission to examine the resolutions, decisions and recommendations of the Ninth Congress.

9. Some speakers mentioned the need for the Ninth Congress to look into the question of establishing an international criminal court. One representative felt that, without the creation of a universal penal jurisdiction, the struggle against transnational criminality would remain largely ineffective.

Action taken by the Commission

Draft discussion guide

10. On 7 January 1993, a draft discussion guide for preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was circulated by the Secretary-General (E/CN.15/1993/L.1).

11. At the 13th meeting, on 22 April, the representative of Malaysia, on behalf of the Asian States that are members of the Commission on Crime Prevention and Criminal Justice, introduced a proposed addendum to the draft discussion guide contained in document E/CN.15/1993/L.1 (E/CN.15/1993/L.21), and orally revised paragraph 4 of section D by (a) deleting the subheading "Rate of the clearance"; (b) replacing the subheading "Police action in cases of drastic violence" with "Police action in cases of domestic violence"; and (c) replacing the subheading "Rate of the prosection" with "Role of the prosecution".

12. At the same meeting, statements were made by the representatives of Sri Lanka, the United States of America, Uganda and France and the observers for Armenia and Argentina.

13. At the 15th meeting, on 23 April, the Commission took note of the draft discussion guide and addendum submitted thereto, as orally revised.

Recommendations of the working group on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

14. At the 13th meeting, on 22 April, the Vice-Chairman of the Commission, Mr. Frank de Silva (Sri Lanka), introduced the recommendations of the working group on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1993/L.19), which read as follows:

> "1. The working group on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders examined the documentation before it and decided to make the following recommendations to the plenary:

"(a) The themes of the Ninth Congress should read as follows:

"(i) International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme;

"(ii) Action against national and transnational economic and organized crime, and the role of criminal law in the protection of the environment: national experiences and international cooperation;

"(iii) Criminal justice systems: management and improvement of police and other law-enforcement agencies, prosecution, courts, corrections and the role of lawyers;

"(iv) Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives;

"(b) The following workshops should be held at the Ninth Congress:

"(i) 'Extradition and international cooperation: exchange of national experiences and the implementation of relevant principles in national legislation' (one day);

"(ii) 'Mass media and crime prevention' (one day);

"(iii) 'Urban policy and crime prevention' (one day);

"(iv) 'Prevention of violent crime' (one day);

"(v) 'Environmental protection at the national and international levels: potentials and limits of criminal justice' (two days);

"(vi) 'International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information' (two days);

"(c) A one-day discussion on 'experiences and practical measures in combating corruption by public officials' should be held in the plenary;

"(d) All organizational work for the above-mentioned workshops shall be done under the supervision of the Crime Prevention and Criminal Justice Branch.

"2. The working group noted the different sponsors for the workshops. Assistance for different workshops would be provided by the United Nations Interregional Crime and Justice Research Institute, the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, the African Institute or the Prevention of Crime and the Treatment of Offenders, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, the

Arab Security Studies and Training Center, the Australian Institute of Criminology, the International Centre for Criminal Law Reform and Criminal Justice Policy, the International Scientific and Professional Advisory Council, the Max Planck Institute for Foreign and International Criminal Law, the Montreal Institute, the Office of International Criminal Justice at the University of Illinois at Chicago and the College of Architecture and Urban Planning at the University of Michigan at Ann Arbor, Michigan.

"3. The working group also recommended that efforts should be made to integrate interested developing countries into the organization of the workshops, so that their experiences could be fruitfully utilized.

"4. In addition, the working group examined the draft rules of procedure for the United Nations congresses on the prevention of crime and the treatment of offenders and elaborated the following new draft rules and amendments:

"Rule 27: Items for consideration

"The Economic and Social Council, on the recommendations of the Commission on Crime Prevention and Criminal Justice, shall approve the provisional agenda of the Congress. The Congress shall adopt the provisional agenda and consider the items therein.

"Rule 28: Draft resolutions

"Draft resolutions on items on the provisional agenda for the Congress shall be submitted to the Secretary-General of the Congress four months prior to the Congress, and distributed to all Member States not later than two months prior to the Congress.

"Draft resolutions are proposals requiring the adoption of a decision on the substantive items of the agenda.

"Rule 29: Substantive amendments

"Substantive amendments shall be introduced in writing and handed to the Secretary of the Congress, who shall circulate copies to all delegations in the official languages of the Congress. Unless the Congress decides otherwise, a substantive amendment(s) shall be discussed or put to the vote no earlier than twenty-four hours after copies in the official languages of the Congress have been circulated to the delegations.

"Rule 29 bis: Urgent and important issues

"On a written proposal of one or several representatives of Member States submitted at the time of the consideration of the agenda, the Congress may decide, by a two-thirds majority of the representatives present and voting, on the inclusion of other item(s) on its agenda on an urgent and important matter.

"Draft resolutions pertaining to items on the agenda, as defined in paragraph one above, shall be submitted to the Secretary of the Congress for distribution in the official languages to the representatives not later than forty-eight hours prior to their consideration.

"ADD, as second paragraph to Rule 61:

"The present rule shall not apply to rule 29 *bis*.

"CHANGE all references to 'Executive Secretary' to 'Secretary of the Congress'."

15. At the 15th meeting, on 22 April, the Vice-Chairman of the Commission, Mr. de Silva (Sri Lanka), introduced revised recommendations of the working group on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1993/L.19/Rev.1), which read as follows:

"1. The working group on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders examined the documentation before it and decided to make the following recommendations to the plenary:

"(a) The themes of the Ninth Congress should read as follows:

"(i) International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme;

"(ii) Action against national and transnational economic and organized crime, and the role of criminal law in the protection of the environment: national experiences and international cooperation;

"(iii) Criminal justice and police systems: management and improvement of police and other law-enforcement agencies, prosecution, courts, corrections; and the role of lawyers;

"(iv) Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives;

"(b) The following workshops should be held at the Ninth Congress:

"(i) 'Extradition and international cooperation: exchange of national experiences and the implementation of relevant principles in national legislation' (one day);

"(ii) 'Mass media and crime prevention' (one day);

"(iii) 'Urban policy and crime prevention' (one day)

"(iv) 'Prevention of violent crime' (one day) "(v) 'Environmental protection at the national and international levels: potentials and limits of criminal justice' (two days);

"(vi) 'International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information' (two days);

"(c) A one-day discussion on experiences in and practical measures aimed at combating corruption involving public officials should be held in the plenary;

"(d) All organizational work for the above-mentioned workshops should be done under the supervision of the Crime Prevention and Criminal Justice Branch.

"2. The working group noted the different sponsors for the workshops. Assistance for different workshops would be provided by the Government of the United States of America, the United Nations Interregional Crime and Justice Research Institute, the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, the African Institute for the Prevention of Crime and the Treatment of Offenders, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, the Arab Security Studies and Training Center, the Australian Institute fo Criminology, the International Centre for Criminal Law Reform and Criminal Justice Policy, the International Centre on Crime Prevention, the International Scientific and Professional Advisory Council, the Max Planck Institute for Foreign and International Criminal Law, the Office of International Criminal Justice at the University of Illinois at Chicago and the College of Architecture and Urban Planning at the University of Michigan at Ann Arbor, Michigan.

"3. The working group noted the assistance provided on all items by the United Nations Interregional Crime and Justice Research Institute and the other institutes associated or affiliated with the United Nations in the field of crime prevention and criminal justice. It also noted with appreciation the role of the International Centre on Crime Prevention, the European Forum for Urban Safety, and the College of Architecture and Urban Planning in the prevention of violent criminality, urban planning and crime prevention, the role of the Australian Institute of Criminology in the mass media and crime prevention; and the role of the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, in international cooperation and assistance in the management of criminal justice systems. It was felt that, under the leadership of the Secretariat, the number of entities interested in joining the group's work would increase.

"4. The working group recommended that all efforts should be made to accommodate Governments of developing countries interested in organizing workshops, by favouring the creation of regional groups modelled on the Mediterranean group, and by providing them with the necessary means for their participation. The working group recommended that the participation of non-governmental organizations in the workshops should be supported.

"5. To encourage a multidisciplinary approach to the work on crime prevention, the working group recommended that the expert members of the delegation of each State represented at the Congress should cover diverse disciplines.

"6. In the preparations for the Ninth Congress, the representatives of France and Tunisia proposed to participate directly in the elaboration and conduct of the workshops relating to violence and crime prevention, as well as integration strategies in the framework of socio-urban development policies, in order to attempt to increase the exchange of experiences and to concretize the deliberations of the Ninth Congress itself. The other countries from the Mediterranean area that had decided to join that initiative were Italy, Malta, Morocco, Spain and Turkey.

"7. In addition, the working group examined the draft rules of procedure for the United Nations congresses on the prevention of crime and the treatment of offenders and elaborated the following new draft rules and amendments:

"Rule 27: Items for consideration

"The Economic and Social Council, on the recommendations of the Commission on Crime Prevention and Criminal Justice, shall approve the provisional agenda for the Congress. The Congress shall adopt the provisional agenda and consider the items therein.

"Rule 28: Draft resolutions

"Draft resolutions on items of the provisional agenda for the Congress shall be submitted to the Secretary-General of the Congress four months prior to the Congress, and distributed to all Member States not later than two months prior to the Congress.

"Draft resolutions are proposals requiring the adoption of a decision on the substantive items of the agenda.

"Rule 29: Substantive amendments

"Substantive amendments shall be introduced in writing and handed to the Secretary of the Congress, who shall circulate copies to all delegations in the official languages of the Congress. Unless the Congress decides otherwise, substantive amendments shall be discussed or put to the vote no earlier than twenty-four hours after copies in the official languages of the Congress have been circulated to the delegations.

"Rule 29 bis: Urgent and important issues

"On a written proposal of one or several representatives of Member States submitted at the time of the consideration of the agenda, the Congress may decide, by a two-thirds majority of the representatives present and voting, on the inclusion of other items in its agenda on urgent and important matters.

"Draft resolutions pertaining to items on the agenda, as defined in paragraph one above, shall be submitted to the Secretary of the Congress for distribution in the official languages to the representatives not later than forty-eight hours prior to their consideration.

"ADD, as second paragraph to Rule 61:

"The present rule shall not apply to rule 29 *bis*.

"CHANGE all references to 'Executive Secretary' to 'Secretary of the Congress'."

16. At the same meeting, the Commission took note of the revised recommendations of the working group (E/CN.15/1993/L.19/Rev.1).

17. Also at the same meeting, statements were made by the representatives of France and the Republic of Korea.

Preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

18. At the 10th meeting, on 20 April, the representative of Finland, on behalf of Costa Rica and Finland, introduced a draft resolution (E/CN.15/1993/L.6) entitled "Preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders", which read as follows:

"*The Economic and Social Council*,

"*Considering* that, in pursuance of General Assembly resolutions 415 (V), annex, of 1 December 1950 and 46/152, annex, of 18 December 1991, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders is to be convened in 1995,

"*Bearing in mind* General Assembly resolutions 32/59 and 32/60 of 8 December 1977, 35/171 of 15 December 1980 and 45/121 of 14 December 1990, in which the Assembly noted the importance of the United Nations congresses in the field of crime prevention and criminal justice,

"*Acknowledging* the new role of the congresses stipulated in paragraph 29 of the Statement of Principles and Programme of Action annexed to General Assembly resolution 46/152,

"*Emphasizing* the importance of undertaking all the preparatory activities for the Ninth Congress in a timely and concerted manner,

"*Recalling* its resolution 1992/24 of 30 July 1992, in which it requested the Secretary-General to prepare a discussion guide for the regional preparatory meetings for the Ninth Congress, to be considered by the Commission on Crime Prevention and Criminal Justice at its second session, including proposals for action-oriented research and demonstration workshops related to the topics selected for the Ninth Congress, "*Also recalling* that, in the same resolution, it requested the Secretary-General to prepare draft rules of procedure for the Ninth Congress, taking into account, *inter alia*, the need for all draft resolutions on the selected topics to be submitted well in advance of the Ninth Congress,

"*Aware* of the role played in crime prevention and criminal justice by the dissemination to the public of relevant information and of the impact on society at large of the mass media, both at the national and international levels,

"*Considering* that, in view of the internationalization of new forms of criminality, the criminal justice community should work hand in hand with the mass media to attain an optimal level of dissemination of reliable and timely information on crime prevention,

"*Aware* of the important work to be accomplished by the regional preparatory meetings for the Ninth Congress,

"*Having considered* the report of the Secretary-General on progress made in the preparations for the Ninth Congress (E/CN.15/1993/7 and Corr.1),

"1. *Accepts* with gratitude the generous invitation extended by the Government of ... to act as host to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

"2. *Approves* the following provisional agenda for the Ninth Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its second session:

"1. Opening of the Congress

...

"2. Organizational matters

...

"3. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme

"4. Action against national and transnational economic, organized and environmental crime: national experiences and international cooperation

"5. Criminal justice systems: management and improvement of police, prosecution, courts and corrections

"6. Crime prevention strategies as related to urban crime and juvenile and violent criminality: assessment and new perspectives

"7. Adoption of the report of the Congress;

"3. Approves also the rules of procedure for the United Nations congresses on the prevention of crime and the treatment of offenders as recommended by the Commission on Crime Prevention and Criminal Justice and contained in the annex to the present resolution;

"4. Takes note of the discussion guide for the regional preparatory meetings for the Ninth Congress, approved by the Commission at its second session;

"5. Endorses the programme of work for the Ninth Congress, including the holding of four workshops, one for each substantive topic of the Ninth Congress, as proposed by the Secretary-General in his report on progress made in the preparations for the Ninth Congress and in other related documentation:

"(a) ...;

"(b) ...;

"(c) ...;

"(d) ...;

"6. Accepts with appreciation the initiatives of the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice to assist the Secretariat in convening the workshops (E/CN.15/1993/CRP.1, paras. 66-75);

"7. Invites donor countries to cooperate with developing countries to ensure the full participation of the latter in the workshops;

"8. Decides to include as an integral part of the Ninth Congress a one-day workshop on the role of the mass media in crime prevention, inviting public and private broadcasting companies and networks to take part in it and to submit video programmes to compete for a possible Ninth Congress award for the best video presentation on crime prevention and criminal justice;

"9. Invites Member States and broadcasting companies and networks to support financially, organizationally and technically the preparations for the workshops;

"10. Takes note of the timetable for the five regional preparatory meetings for the Ninth Congress contained in the report of the Secretary-General (E/CN.15/1993/7 and Corr.1, para. 5);

"11. Recommends that adequate provision should be made for the attendance of the regional commissions at the third and fourth sessions of the Commission and at the Ninth Congress;

"12. Requests the Secretary-General:

"(a) To undertake the necessary logistic steps, in collaboration with the network of crime prevention institutes, to mobilize the participation of relevant parties in the preparations for all five workshops;

"(b) To allocate, in the context of the proposed programme budget for the biennium 1994-1995, the necessary resources for the organization of the five regional preparatory meetings for the Ninth Congress and of the Ninth Congress itself;

"(c) To make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Ninth Congress and the Ninth Congress itself;

"(d) To provide the necessary additional resources, including temporary assistance, to the United Nations Office at Vienna, in order to enable its Crime Prevention and Criminal Justice Branch to undertake, in an effective and timely manner, all preparatory and follow-up activities for the Ninth Congress;

"(e) To provide resources, as required, to ensure a wide and effective programme of public information related to the preparations for the Ninth Congress and the Ninth Congress itself;

"(f) To invite twenty expert consultants to participate in the Ninth Congress, at the expense of the United Nations, as was done for the previous three United Nations congresses on the prevention of crime and the treatment of offenders, thus ensuring that adequate expertise is provided to the Ninth Congress by each region for each substantive topic;

"(g) To appoint, in accordance with the established practice for the congresses, a Secretary-General of the Ninth Congress;

"13. Decides that the Ninth Congress should be held early in 1995 for a period of ten working days and two days of pre-Congress consultations;

"14. Encourages Governments to undertake preparations for the Ninth Congress by all appropriate means, with a view to formulating national position papers;

"15. Invites the Commission to accord high priority, at its third session, to the preparations for the Ninth Congress and to ensure that all necessary organizations and substantive arrangements are made in good time."

[ANNEX]

[Rules of procedure for the United Nations congresses on the prevention of crime and the treatment of offenders]

19. At the same meeting, the representative of Costa Rica made a statement.

20. At the 15th meeting, on 23 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.6/Rev.1), submitted by Costa Rica and Finland. Subsequently, Bolivia, Egypt, 36/ Gabon, Jordan 36/ Lebanon 36/ Malaysia, the Philippines, Poland and Uganda joined in sponsoring the revised draft resolution.

21. Following statements by the representatives of Uganda and Finland and the observer for the Netherlands, it was proposed to amend the draft resolution, as follows:

(a) A new paragraph was inserted as operative paragraph 1, which read as follows:

> "Takes note with appreciation of the invitation of the Government of Uganda to act as host for the African Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders";

(b) In operative paragraph 12, the word "relevant" was inserted before the words "regional commissions";

(c) In operative paragraph 13 (a), the words "five workshops" were replaced by the words "six workshops".

22. At the same meeting, the Commission adopted the revised draft resolution, as orally amended (see chap. I, sect. A, draft resolution VIII)

23. Also at the same meeting, a statement was made by the International Penal and Penitentiary Foundation.

Draft provisional rules of procedure for the Ninth Congress

24. On 28 December 1992, the draft provisional rules of procedure for the Ninth Congress (E/CN.15/1993/L.2, annex) were submitted to the Commission by the Secretariat. They read as follows:

"Annex

"DRAFT RULES OF PROCEDURE

"I. REPRESENTATION AND CREDENTIALS

"Composition of delegations

"Rule 1

"The delegation of each State participating in the Congress shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

"Designated representatives

"Rule 2

"An alternate representative or an adviser may act as a representaitve upon designation by the head of delegation.

"Submission of credentials

"Rule 3

"1. The credentials of representatives shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

"2. The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Congress, if possible not later than one week before the opening of the Congress. Any later change in the composition of delegations shall also be submitted to the Executive Secretary.

"Credentials Committee

"Rule 4

"1. There shall be a Credentials Committee of nine members appointed by the Congress on the proposal of the President. Its membership shall, as far as possible, be the same as that of the Credentials Committee of the General Assembly of the United Nations at its preceding session.

"2. The Credentials Committee shall itself elect from among the representatives of participating States a Chairman and such other officers as it considers necessary.

"3. The Credentials Committee shall examine the credentials of representatives and report to the Congress.

"Provisional participation in the Congress

"Rule 5

"Pending a decision of the Congress upon their credentials, representatives shall be entitled to participate provisionally in the Congress.

"II. OFFICERS

"Elections

"Rule 6

"The Congress shall elect from among the representatives of participating States a President, 24 Vice-Presidents and a Rapporteur-General, as well as a Chairman for each of the committees provided for in rule 44. These 28 officers shall constitute the General Committee and shall be elected on the basis of equitable geographical distribution.

"Acting President

"Rule 7

"1. If the President finds it necessary to be absent from a meeting or any part thereof, he or she shall designate one of the Vice-Presidents as acting President.

"2. A Vice-President acting as President shall have the same power and duties as the President.

"Replacement of the President

"Rule 8

"If the President is unable to perform his or her functions, a new President shall be elected.

"Voting rights of the President

"Rule 9

"The President, or a Vice-President acting as President, shall not vote, but shall designate another member of his or her delegation to exercise that function.

"III. GENERAL COMMITTEE

"Chairman

"Rule 10

"The President or, in his or her absence, one of the Vice-Presidents designated by the President shall serve as Chairman of the General Committee.

"Substitute members

"Rule 11

"1. If the President or a Vice-President or the Rapporteur-General is absent from a meeting of the General Committee, he or she may designate a member of his or her delegation to act as substitute.

"2. In case of absence, the Chairman of a committee shall designate another officer of the committee or, if none is available, a member thereof. However, such a substitute shall not have the right to vote if he or she is of the same delegation as another member of the General Committee.

"Functions

"Rule 12

"1. In addition to carrying out other functions provided in these rules, the General Committee shall assist the President in the general conduct of the business of the Congress and, subject to decisions of the Congress, shall ensure the coordination of its work.

"2. At the request of the Chairman of a committee, the General Committee may adjust the allocation of work to the committees.

"IV. SECRETARIAT

"Duties of the Secretary-General

"Rule 13

"1. The Secretary-General of the United Nations shall appoint a Secretary-General and an Executive Secretary of the Congress and shall provide the staff required by the Congress and its subsidiary organs.

"2. The Secretary-General of the Congress or his or her representative shall act in that capacity in all meetings of the Congress and its subsidiary organs. He or she shall direct the staff assigned to perform services in connection with the Congress.

"Duties of the secretariat

"Rule 14

"The secretariat of the Congress shall, in accordance with these rules:

"(a) Interpret speeches made at meetings;

"(b) Receive, translate, reproduce and distribute the documents of the Congress;

"(c) Publish and circulate the report and the official documents of the Congress;

"(d) Make and arrange for the keeping of sound recordings of meetings;

"(e) Arrange for the custody and preservation of the records of the Congress in the archives of the United Nations;

"(f) Generally perform all other work that the Congress may require.

"Statements by the secretariat

"Rule 15

"The Secretary-General of the Congress or any member of the secretariat designated for that purpose may at any time make either oral or written statements concerning any question under consideration.

"V. CONDUCT OF BUSINESS

"Quorum

"Rule 16

"The President may declare a meeting open and permit the debate to proceed when representatives of at least one third of the States participating in the Congress are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

"General powers of the President

"Rule 17

"1. In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall preside at the plenary meetings of the Congress, declare the opening and closing of each such meeting, direct the discussions, accord the right to speak, put questions to the vote and announce decisions. He or she shall rule on points of order and, subject to these rules, have complete control of the proceedings and over the maintenance of order. The President may propose to the Congress the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times participants may speak on a question, the adjournment or closure of the debate, and the suspension or the adjournment of a meeting.

"2. The President, in the exercise of his or her functions, remains under the authority of the Congress.

"Points of order

"Rule 18

"Subject to rule 37, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the ruling of the President shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

"Speeches

"Rule 19

"1. No one may address the Congress without having previously obtained the permission of the President, who shall, subject to rules 17, 19 and 22-25 call upon speakers in the order in which they signify their desire to speak. The Executive Secretary shall be in charge of drawing up a list of such speakers.

"2. Debate shall be confined to the question before the Congress and the President may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

"3. The Congress may limit the time allowed to speakers and the number of times participants may speak on a question; a motion to set such limits shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him or her to order without delay.

"Precedence

"Rule 20

"The Chairman or another representative of a subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by that organ.

"Closing of the list of speakers

"Rule 21

"During the course of a debate the President may announce the list of speakers and, with the consent of the Congress, declare the list closed. When there are no more speakers on the list, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 25.

"Right of reply

"Rule 22

"The right of reply shall be accorded by the President to a representative of a State participating in the Congress who requests it. Any other representative may be granted the opportunity to make a reply. Such replies should be as brief as possible.

"Suspension or adjournment of the meeting

"Rule 23

"Subject to rule 37, a representative may at any time move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote.

"Adjournment of debate

"Rule 24

"A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of and two against the motion, after which the motion shall be immediately put to the vote.

"Closure of debate

"Rule 25

"A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his or her wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote.

"Order of motions

"Rule 26

"Subject to rule 18, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

"(a) To suspend the meeting;

"(b) To adjourn the meeting;

"(c) To adjourn the debate;

"(d) To close the debate.

"Items for consideration

"Rule 27

"The Congress shall consider the agenda items approved by the Economic and Social Council on the recommendation of the Commission on Crime Prevention and Criminal Justice.

"Draft resolutions on topics selected for consideration by the Congress

"Rule 28

"Draft resolutions on topics selected for consideration by the Congress shall be submitted to the Secretary-General of the Conference ... (days) (weeks) in advance of the Congress.

"Other proposals and amendments

"Rule 29

"Other proposals shall normally be introduced in writing and handed to the Executive Secretary, who shall circulate copies to all delegations in all the official languages of the Congress. As a general rule, no proposal shall be discussed or put to the vote unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or motions as to procedure, even though those amendments and motions may not have or may only have been circulated the same day.

"Withdrawal of proposals and motions

"Rule 30

"A proposal or motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or motion thus withdrawn may be reintroduced by any representative.

"Decisions on competence

"Rule 31

"Subject to rule 18, any motion calling for a decision on the competence of the Congress to discuss any matter or to adopt a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal in question.

"Reconsideration

"Rule 32

"When a proposal or motion has been adopted or rejected, it may not be reconsidered unless the Congress, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the matter shall be immediately put to the vote.

"VI. VOTING

"Voting rights

"Rule 33

"Each State represented at the Congress shall have one vote.

"Majority required

"Rule 34

"1. Unless the Congress decides otherwise, decisions of the Congress on all matters of substance shall require a two-thirds majority of the representatives present and voting.

"2. Unless the Congress decides otherwise, and except as otherwise provided in these rules, decisions of the Congress on all other matters shall be taken by a simple majority of the representatives present and voting. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

"3. For the purpose of these rules, the phrase 'representatives present and voting' means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

"Methods of voting

"Rule 35

"Except as provided in rule 42, the Congress shall normally vote by show of hands, but any representative may request a roll-call vote, which shall then be taken in the English alphabetical order of the names of the States participating in the Congress, beginning with the one whose name is drawn by lot by the President. The name of each participating State shall be called in all roll-call votes, and its representative shall reply 'yes', 'no' or 'abstention'.

"Explanation of vote

"Rule 36

"Representatives may make brief statements consisting solely of an explanation of their votes, either before the voting has commenced or after it has been completed. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon unless it has been amended. The President may limit the time to be allowed for such explanations.

"Conduct during voting

"Rule 37

"The President shall announce the commencement of voting, after which no representative shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

"Division of proposals

"Rule 38

"A representative may move that parts of a proposal shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. If the motion for division is adopted, those parts of the proposal that are approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

"Amendments

"Rule 39

"An amendment is a proposal that does no more than add to, delete from or revise part of another proposal. Unless specified otherwise, the word 'proposal' in these rules shall be considered as including amendments.

"Order of voting on amendments

"Rule 40

"When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Congress shall vote first on the amendment furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

"Order of voting on proposals

"Rule 41

"If two or more proposals, other than amendments, relate to the same question, they shall, unless the conference decides otherwise, be voted on in the order in which they were submitted. The Congress may, after each vote on a proposal, decide whether to vote on the next proposal.

"Elections

"Rule 42

"All elections shall be held by secret ballot, unless the Congress decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

"Rule 43

"1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

"2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

"VII. SUBSIDIARY ORGANS

"Committees, subcommittees and working groups

"Rule 44

"There shall be as many committees of the whole as may be approved from time to time by the Economic and Social Council on the recommendation of the Commission on Crime Prevention and Criminal Justice. Each committee may set up subcommittees and working groups, to the extent permitted by available facilities.

"Officers

"Rule 45

"1. In addition to a Chairman elected by the Congress pursuant to rule 6, each committee shall itself elect a Vice-Chairman and a Rapporteur from among the representatives of participating States.

"2. Subcommittees and working groups shall each elect a Chairman and no more than two Vice-Chairmen from among the representatives of participating States.

"Applicable rules

"Rule 46

"The rules contained in chapters II, IV, V and VI above shall be applicable, mutatis mutandis, to the proceedings of subsidiary organs, except that:

"(a) The Chairmen of subsidiary organs other than the committees referred to in rule 44 may exercise the right to vote;

"(b) A majority of the representatives participating in any subsidiary organs of limited membership shall constitute a quorum;

"(c) Decisions of subsidiary organs shall be taken by a majority of the representatives present and voting, except that reconsideration of any such decision shall require the majority established by rule 32.

"VIII. LANGUAGES AND DOCUMENTS

"Official language

"Rule 47

"Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Congress.

"Interpretation

"Rule 48

"1. Speeches made in an official language of the Congress shall be interpreted into the other such languages.

"2. Statements may be made in a language other than an official language of the Congress if the speaker provides for interpretation into one of the official languages. Interpretation into the other official languages of the Congress by interpreters of the secretariat may be based on the interpretation given in the first such language.

"Languages of official documents

"Rule 49

"Official documents shall be made available in the official languages of the Congress.

"Sound recordings of meetings

"Rule 50

"The secretariat shall make sound recordings of meetings of the Congress and of the committees. Such recordings shall be made of meetings of other subsidiary organs when the body concerned so decides.

"IX. REPORT OF THE CONGRESS

"Rule 51

"1. The Congress shall adopt a report, the draft of which shall be prepared by the Rapporteur-General.

"2. The report shall be distributed as soon as practicable and not later than six months after the closing of the Congress to all States and to other participants in the Congress.

"X. PUBLIC AND PRIVATE MEETINGS

"General principles

"Rule 52

"1. The plenary meetings of the Congress and meetings of its subsidiary organs other than the General Committee and the Credentials Committee shall be held in public unless the body concerned decides otherwise.

"2. Meetings of the General Committee and the Credentials Committee shall be held in private unless the body concerned decides otherwise.

"XI. OTHER PARTICIPANTS AND OBSERVERS

"Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly as observers

"Rule 53

"Representatives designated by organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

"Representatives of national liberation movements

"Rule 54

"Representatives designated by national liberation movements invited to the Congress may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

"Representatives of United Nations organs and related agencies

"Rule 55

"Representatives designated by organs of the United Nations, the specialized agencies or the International Atomic Energy Agency may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

"Observers for other intergovernmental organizations

"Rule 56

"Observers designated by other intergovernmental organizations invited to the Congress may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

"Observers for non-governmental organizations

"Rule 57

"Observers designated by non-governmental organizations invited to the Congress may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups.

"Individual experts and consultants

"Rule 58

"1. Individual experts in the field of crime prevention and the treatment of offenders may be invited to the Congress by the Secretary-General in their individual capacity and may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups.

"2. The Secretary-General may invite a small number of expert consultants to participate in the Congress at the expense of the United Nations. In inviting such expert consultants, the Secretary-General shall pay due regard to the principle of equitable geographical representation. Expert consultants thus invited may, as appropriate, initiate and assist in debates in the committees, subcommittees and working groups of the Congress.

"Written statements

"Rule 59

"Written statements related to the work of the Congress submitted by the designated representatives, individual experts or observers referred to in rules 53-58 shall be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution, provided that a statement submitted on behalf of a non-governmental organization shall be on a subject in which it has a special competence.

"XII. AMENDMENT OR SUSPENSION OF THE RULES OF PROCEDURE

"Method of amendment

"Rule 60

"These rules may be amended by a decision of the Congress taken by a two-thirds majority of the representatives present and voting upon a recommendation of the General Committee.

"Method of suspension

"Rule 61

"Any of these rules may be suspended by a decision of the Congress, provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects; subsidiary organs may by unanimous consent waive rules pertaining to them. Any suspension shall be limited to a specific and stated purpose and to the period required to achieve it.

"Periodic review of rules

"Rule 62

"After the completion of each Congress, the Commission on Crime Prevention and Criminal Justice shall make appropriate recommendations to the Economic and Social Council for such amendments to these rules as it may deem necessary."

25. At the 15th meeting, on 23 April, the Commission had before it revised draft provisional rules of procedure for the Ninth Congress (E/CN.15/1993/L.2/Rev.1, annex).

26. At the same meeting, the representative of Sri Lanka made a statement.

27. Also at the same meeting, the Commission adopted the revised draft rules of procedure for the Ninth Congress and decided to annex them to the draft resolution entitled "Preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders" (see chap. I, sect. A, draft resolution VIII).

Chapter VI

COOPERATION AND COORDINATION OF ACTIVITIES WITH OTHER UNITED NATIONS BODIES

1. The Commission considered agenda item 7 at its 8th and 9th meetings, on 19 April. It had before it the following documents:

(a) Report of the Secretary-General on the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations and on coordination of activities with other United Nations bodies (E/CN.15/1993/2);

(b) Progress report of the Secretary-General on the activities of the United Nations Interregional Crime and Justice Research Institute and other institutes (E/CN.15/1993/8);

(c) Report of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/1993/8/Add.1);

(d) Report of the Eighth Joint Programme Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network (E/CN.15/1993/CRP.1).

2. It was noted that the format of the report of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/1993/8/Add.1) followed the practice to be adopted by all institutes in providing programme references under the relevant Commission priority theme headings.

3. In their statements, representatives praised the reports of increased cooperation between the Branch and the interregional, regional and associate institutes in the field of crime prevention and criminal justice. Several observers for United Nations entities also reported increased cooperation between the Branch and their organizations. One representative called for even closer cooperation with United Nations entities, notably the Commission on Human Rights and the Commission on the Status of Women. Another suggested that, in order to increase cooperative efficiency, a bibliography should be developed that would contain references to all relevant surveys conducted by United Nations entities and intergovernmental and non-governmental organizations. The observer for the United Nations International Drug Control Programme reported that the Programme and the Branch had consulted on matters of importance. The observer for the Centre for Human Rights of the Secretariat expressed appreciation for the call for closer cooperation expressed by the Commission at its first session.

4. A number of speakers described the various initiatives involving such cooperation that had been undertaken in their countries. The observer for Canada, for example, referred to the recent establishment of the International Centre for Criminal Law Reform and Criminal Justice Policy at Vancouver and the International Institute for Crime Prevention at Montreal, to be established soon; he stated that the future Institute at Montreal might be in a position to sponsor a workshop at the Ninth Congress. The representative of

Uganda described the financial support being provided by his Government for the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders and called for support for the Institute. He expressed the view that the lack of resources not only made it difficult for the Institute to plan needed programmes, but also hampered its ability to provide a base from which to secure funding of extrabudgetary projects.

5. Several observers, in particular the observers for the United Nations Interregional Crime and Justice Research Institute, the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders and the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, provided information on programmes implemented by their institutes that was not contained in documents E/CN.15/1993/8 and Add.1. With respect to publications and information disseminated by the institutes, one representative expressed the hope that efforts would be made to provide publications in all United Nations official languages.

6. The Commission then focused its attention on the qualifications of nominees to fill two vacant positions on the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute. Representatives stressed the high qualifications of the two nominees and supported their appointment, which was subsequently agreed to by the Commission. It was stated that, at the next occasion at which the Commission considered such nominees, there should be more nominees than vacancies to be filled.

Action taken by the Commission

7. At the 10th meeting, on 20 April, the representative of Italy introduced a draft resolution (E/CN.15/1993/L.16) entitled "Cooperation between the Crime Prevention and Criminal Justice Branch and other relevant entities". Subsequently, Argentina 36/ and Burkina Faso joined in sponsoring the draft resolution, which read as follows:*

> "*The Economic and Social Council*,
>
> "*Reaffirming* that the prevention and control of crime require effective, concerted and multidisciplinary action at the national, regional and international levels,
>
> "*Convinced* that the scope of international cooperation in all fields of crime prevention and criminal justice should be extended and increased as a matter of utmost importance,
>
> "*Convinced also* that technical assistance programmes in crime prevention and criminal justice should be expanded and strengthened as a matter of urgency,

---

* For action taken on the draft resolution, see chap. IV, para. 13.

"*Bearing in mind* that effective and concerted action, expanded international cooperation and efficient technical cooperation depend on improved coordination of all activities related to crime prevention and criminal justice within the United Nations system, in order to ensure the continuing relevance and responsiveness of the system to existing and emerging needs,

"*Alarmed* by the fact that large financial profits derived from criminal activity may enable transnational criminal organizations to penetrate, infect and corrupt the structure of Governments, legitimate commercial activities and society at large, thereby impeding economic and social development, hampering law and order, undermining the foundation of States and preventing good governance,

"*Recalling* General Assembly resolutions 45/107, 45/121 and 45/123 of 14 December 1990, 46/152 of 18 December 1991 and 47/87 and 47/91 of 16 December 1992,

"*Recalling also* Economic and Social Council resolution 1992/22 of 30 July 1992, Commission on Crime Prevention and Criminal Justice resolution 1/2 of 29 April 1992, Commission on Narcotic Drugs resolutions 1 (XXXV), 4 (XXXV) and 11 (XXXV) of 15 April 1992 and Commission on Human Rights resolution 1992/31 of 18 February 1992,

"1. *Welcomes with appreciation* Commission on Narcotic Drugs resolution [L.11] (XXXVI) of 7 April 1993;

"2. *Invites* the various relevant entities of the United Nations system, including but not limited to the Office of Legal Affairs, the Department for Policy Coordination and Sustainable Development, the Department for Development Support and Management Services, the Department for Economic and Social Information and Policy Analysis, the United Nations International Drug Control Programme, the regional commissions, the United Nations Centre for Human Rights and the United Nations Environment Programme of the Secretariat, the United Nations Children's Fund, the United Nations Development Programme, the World Health Organization and the United Nations Industrial Development Organization, to cooperate with the Crime Prevention and Criminal Justice Branch and to extend to it their support and assistance in implementing its mandates;

"3. *Recommends* that the Secretary-General should examine the possibility of resorting when appropriate to the expertise available in, or accessible through the Crime Prevention and Criminal Justice Branch in considering the establishment of international criminal courts;

"4. *Invites* Member States to ensure that their efforts and arrangements aimed at cooperation and coordination at the bilateral and regional levels take into account the relevant activities and work of the United Nations crime prevention and criminal justice programme;

"5. *Decides* to include in the provisional agenda for the third session of the Commission on Crime Prevention and Criminal Justice an item on coordination of activities in crime prevention and criminal justice and cooperation between the Crime Prevention and Criminal Justice Branch and other relevant entities;

"6. Requests the Secretary-General to encourage and facilitate cooperation and coordination in accordance with the present resolution and to report thereon to the Commission on Crime Prevention and Criminal Justice at its third session."

Operational activities in the framework of the United Nations Crime Prevention and Criminal Justice Programme

8. At the 10th meeting, on 20 April, the representative of Tunisia, on behalf of Bulgaria, France, Italy and Tunisia, introduced and orally revised a draft resolution (E/CN.15/1993/L.17) entitled "Operational activities in the framework of the United Nations Crime Prevention and Criminal Justice Programme". Subsequently, Argentina, 36/ Ethiopia, 36/ Gabon, Malaysia, Nigeria and Yemen 36/ joined in sponsoring the draft resolution. The draft resolution, as orally revised, read as follows:*

"The Economic and Social Council,

"Recalling its resolution 1992/22, section I, of 30 July 1992, in which it requested the strengthening of the operational capacity of the United Nations crime prevention and criminal justice programme, especially operational activities and advisory services,

"Mindful of the fact that crime prevention and control constitute an ever greater challenge for most Member States and for the international community as a whole,

"Convinced of the need to develop the skills of crime prevention and criminal justice personnel, so as to enhance law and order and promote democracy,

"Alarmed by the negative effects of criminal activities on the development process in many countries, especially developing countries and new democracies,

"Bearing in mind the urgent needs of the least developed countries for assistance in training crime prevention and criminal justice personnel,

"Mindful of the links between criminality at the national level and the more sophisticated forms of transnational criminal activities,

"Bearing in mind the priorities defined by the Council in its resolution 1992/22,

"Convinced that effective action against crime requires enhanced technical cooperation activities at the international level, so as to provide appropriate assistance to Member States with insufficient capacity to deal with problems related to crime and to tackle serious forms of international criminal activity, such as transnational and organized crime,

---

* For action taken on the draft resolution, see chap. IV, para. 13.

"*Recalling* General Assembly resolution 46/152 of 18 December 1992, in which the Assembly emphasized the practical orientation of the United Nations crime prevention and criminal justice programme and decided that it should provide States with practical assistance, such as data collection, information and experience sharing, and training, in order to achieve the goals of preventing crime and of improving the response to it,

"*Concerned* at the disparity between technical assistance needs and the resources available to the United Nations crime prevention and criminal justice programme,

"1. *Welcomes with appreciation* the efforts made by the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat to implement operational activities, especially by establishing projects to be executed in developing countries and new democracies, and by taking part in civilian peace-keeping operations, such as the work of the United Nations Transitional Authority in Cambodia and the United Nations Protection Force in Yugoslavia;

"2. *Notes with satisfaction* the cooperation between the Crime Prevention and Criminal Justice Branch and other United Nations entities, such as the United Nations International Drug Control Programme, the Commission on Human Rights and the Centre for Human Rights of the Secretariat, and recommends that such cooperation be expanded and intensified;

"3. *Also notes with satisfaction* the support given by some Member States for the holding of training seminars, especially by financing them or providing expert services;

"4. *Urges* the Secretary-General to continue, in accordance with programme priorities, to elaborate training programmes, such as for the training of trainers, which could be implemented in Member States at their request and adapted to specific national or regional conditions and requirements, using existing or new materials such as manuals and other publications and United Nations guidelines, minimum rules and model treaties in the field of crime prevention and criminal justice;

"5. *Also urges* the Secretary-General to elaborate assistance projects involving basic courses on United Nations rules and guidelines for personnel of peace-keeping and emergency missions and their national counterparts, in order to restore or upgrade criminal justice systems and to respond rapidly to urgent requests formulated within the framework of such missions;

"6. *Further urges* the Secretary-General to ensure the participation of the crime prevention and criminal justice programme in the organization of such missions;

"7. Urges the Secretary-General to strengthen the Crime Prevention and Criminal Justice Branch by enabling it to obtain adequate financial and human resources for the elaboration, carrying out and evaluation of operational activities and advisory services at the request of Member States;

"8. Requests Member States to contribute to the United Nations Crime Prevention and Criminal Justice Fund so as to promote the execution of technical assistance projects;

"9. Recommends that Member States include a crime prevention and criminal justice segment in their priority action programmes for development, so that questions relating to crime can be better dealt with in the context of national development;

"10. Reaffirms the importance of technical cooperation among developing countries and recognizes the relevance of close cooperation between the network of institutes affiliated with the United Nations and the Commission on Crime Prevention and Criminal Justice in the development of technical assistance and the elaboration of research projects at the national and regional levels, taking into account regional characteristics and the traditions of various criminal justice systems;

"11. Invites the relevant funding agencies of the United Nations to include crime prevention and criminal justice activities in their funding programmes and to cooperate with the crime prevention and criminal justice programme in the implementation of these activities."

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

9. At the 11th meeting, on 21 April, the representative of Uganda introduced a draft resolution (E/CN.15/1993/L.18) entitled "African Institute for the Prevention of Crime and the Treatment of Offenders". Subsequently, Burkina Faso, Gabon, Sierra Leona and Zimbabwe 36/ joined in sponsoring the draft resolution, which read as follows:

"The Economic and Social Council,

"Recalling General Assembly resolution 46/152, annex, of 18 December 1991, in which it is stated that the contributions of the regional institutes for the prevention of crime and the treatment of offenders to policy development and implementation, and their resource requirements, especially those of the African Institute for the Prevention of Crime and the Treatment of Offenders, should be fully integrated into the United Nations crime prevention and criminal justice programme,

"Taking note of General Assembly resolution 47/89 of 16 December 1992,

"Bearing in mind paragraph 2 of its resolution 1992/22, section IV, of 30 July 1992, "1. *Expresses its appreciation* to the Government of Uganda for providing host facilities to the African Regional Institute for the Prevention of Crime and the Treatment of Offenders;

"2. *Notes with appreciation* the interest expressed by the Government of Uganda in acting as host to the African Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders at Kampala from 14 to 18 February 1994;

"3. *Encourages* Governments and intergovernmental and non-governmental organizations to provide financial and technical support to the Institute to enable it to fulfil its objectives, particularly those concerning training, technical assistance, policy guidance, research and data collection;

"4. *Urges* the Chairman of the Governing Board of the Institute to convene an early meeting to select a new director of the Institute;

"5. *Recommends* the observance of article VII of the statute of the Institute to facilitate its proper functioning;

"6. *Recommends* that the Secretary-General and the Administrator of the United Nations Development Programme should continue to provide assistance and support to the Institute."

10. At the 14th meeting, on 22 April, the Commission had before it a revised draft resolution (E/CN.15/1993/L.18/Rev.1), submitted by Algeria, 36/ Burkina Faso Egypt, 36/ Gabon, Malawi, Nigeria, Sierra Leone, Tunisia, Uganda and Zimbabwe, 36 subsequently joined by Ethiopia 36/ and Morocco. 36/

11. At the same meeting, the representative of Uganda made a statement. A statement was also made by the Secretary of the Commission.

12. The Commission then adopted the draft resolution (see chap. I, sect. A, draft resolution IX).

Reappointment of two members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

13. At the 15th meeting, on 22 April, the Commission had before it a draft decision submitted by the Chairman (E/CN.15/1993/L.22) entitled "Reappointment of two members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute".

14. At the same meeting, the representative of Uganda proposed that the words "in the future" be inserted after the words "recommends that".

15. Also at the same meeting, the Commission adopted the draft decision, as orally amended (see chap. I, sect. B, draft decision I).

Chapter VII

IMPLEMENTATION OF ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1992/22

1. The Commission considered agenda item 8 at its 11th meeting, on 20 April. It had before it the report of the Secretary-General on progress made in the implementation of Economic and Social Council resolution 1992/22 (E/1993/10).

2. In introducing the agenda item, the Officer-in-Charge of the Crime Prevention and Criminal Justice Branch mentioned the work being carried out by the Branch, in conjunction with the United Nations Protection Force and other United Nations entities, on the preparation of instruments and training manuals for civilian police components of peace-keeping operations. He pointed out to the Commission that that work had not been dealt with in the report of the Secretary-General as it had commenced after the report had already been completed.

3. It was stated that the effectiveness of the programme had been limited by the severe lack of resources. The former Interregional Adviser for Crime Prevention and Criminal Justice, speaking on behalf of his Government, presented an overview of the missions he had undertaken between the first session of the Commission and the time he had left his functions. He explained the difficulties encountered in mobilizing funds for implementing technical assistance projects in the longer term and expressed the hope that the Commission, as a policy-making body, would succeed in bringing the necessary resources to the programme in order to enable it to respond better to the needs of Member States.

4. The observer for the Economic Community of West African States referred to the ongoing technical cooperation activities between his organization and the Branch, particularly in the form of assistance provided in elaborating the Convention on Mutual Assistance in Criminal Matters for the West African subregion. It was stressed that support, including financial contributions from donor countries, was needed to carry out the operational activities to be undertaken.

Chapter VIII

PROGRAMME QUESTIONS

1. The Commission considered agenda item 9, at its 11th meeting, on 20 April. It had before it the following documents:

(a) Proposed revisions to programme 29 of the medium-term plan for the period 1992-1997 (A/47/6 (Prog. 29));

(b) Report of the Committee for Programme and Coordination on the first part of its thirty-second session (A/47/16 (Part I));

(c) Report of the Secretary-General on the programme performance of the United Nations for the biennium 1990-1991 (A/47/159 and Add.1);

(d) Note by the Secretary-General on the proposed programme of work for the biennium 1994-1995 (E/CN.15/1993/CRP.5).

2. Reference was made to Economic and Social Council resolution 1992/22, in section II of which the Council had recommended the establishment of a new subprogramme on operational activities, planning and overall coordination under programme 29 (Crime prevention and criminal justice) of the medium-term plan for the period 1992-1997. It was noted that the Committee for Programme and Coordination, at its thirty-second session (A/47/16 (Part I), para. 70), had recommended the approval of the revisions to programme 29. In its resolution 47/214, section I, of 23 December 1992, the General Assembly had endorsed the Secretary-General's proposed revisions to the medium-term plan. The Commission was informed that the new programme had begun to operate at the beginning of 1993. Resources for the new subprogramme, however, as well as for the new activities of the programme in general, had still not been fully considered. That delay had made the implementation of the activities mandated by the Commission difficult, particularly with respect to responding to the numerous requests of Member States for practical assistance.

3. The Commission was informed that the proposed programme budget for the biennium 1994-1995 was currently being prepared at Headquarters. The proposed programme of work for the biennium 1994-1995 was based on the mandates contained in General Assembly resolutions 46/152 of 18 December 1991 and 47/87 and 47/91 of 16 December 1992 and in Economic and Social Council resolutions 1992/22, 1992/23 and 1992/24 of 30 July 1992 and on resolutions adopted by the Commission at its first session. The proposed programme of work contained the activities perceived to be necessary to implement those resolutions, taking fully into account the priority themes determined by the Economic and Social Council in its resolution 1992/22, section VI. In preparing the proposed programme budget, efforts had been made to reflect the wishes of Member States with respect to strengthening the operational aspects of the programme and to give effect to the objectives of the new subprogramme on operational activities, planning and overall coordination.

4. The Commission took note of the note by the Secretary-General on the proposed programme of work for the biennium 1994-1995 (E/CN.15/1993/CRP.5) and requested the Secretary-General to reflect in the preparation of the programme budget for the biennium 1994-1995 the decisions taken by the Commission at its second session.

Chapter IX

PROVISIONAL AGENDA FOR THE THIRD SESSION OF THE COMMISSION

1. The Commission considered item 10 of its agenda at its 16th meeting, on 23 April 1993. It had before it a note by the Secretariat containing the draft provisional agenda for the third session (E/CN.15/1993/L.3).

2. At the same meeting, the Officer-in-Charge of the Crime Prevention and Criminal Justice Branch introduced and orally revised the draft provisional agenda.

3. Following statements by the representatives of Bolivia, the United States of America, Italy, Malaysia and Austria and the observer for the Netherlands, the Commission decided to recommend approval of the draft provisional agenda, as orally revised, to the Economic and Social Council, in accordance with Council resolution 1979/41 (see chap. I, sect. B, draft decision III).

Action taken by the Commission

Organization of future sessions of the Commission on Crime Prevention and Criminal Justice

4. At the 16th meeting, on 23 April, on the proposal of the Chairman, the Commission adopted a draft decision on the organization of future sessions of the Commission (see chap. I, sect. B, draft decision II).

5. Before the draft decision was adopted, statements were made by the representatives of the United States of America, France, the Philippines, Bolivia, Germany, Uganda and Australia and the observers for the Netherlands, Egypt, Spain and the United Kingdom of Great Britain and Northern Ireland.

6. The Secretary of the Commission also made a statement.

Chapter X

ADOPTION OF THE REPORT OF THE COMMISSION ON ITS SECOND SESSION

At its 16th meeting, on 23 April 1993, the Commission adopted the report on its second session (E/CN.15/1993/L.4 and Add.1-7) as amended during the discussion.

Chapter XI

ORGANIZATION OF THE SESSION

A. Opening and duration of the session

1. The Commission on Crime Prevention and Criminal Justice held its second session at Vienna from 13 to 23 April 1993. The Commission held 16 meetings (1st to 16th) and a number of informal meetings.

2. In opening the session, the Chairperson of the Commission at its first session, Wonu Folami, stated that there was a need for greater efforts against crime because the world had undergone tremendous changes. She said that the United Nations had a new role that required global action, as well as more operational capacity, to strengthen the efforts of Member States in areas of crime prevention and criminal justice that were of international concern.

3. Following his election, the Chairman of the Commission at its second session offered a tribute to Giovanni Falcone, who had headed the Italian delegation at the first session of the Commission and who had been assassinated by the Mafia in May 1992. The Commission observed a minute of silence in his memory. The Chairman called for constructive initiatives involving concerted action against crime. He stressed the importance of reviewing the priorities in the United Nations crime prevention and criminal justice programme.

4. In his introductory statement, the Under-Secretary-General, Director-General of the United Nations Office at Vienna, said that the Secretariat had concentrated its efforts on reorienting its activities in order to meet the wishes expressed by the Commission at its first session. He stated that, from the first session of the Commission, which was almost exploratory in nature, a viable blueprint of a programme of work had emerged that could be understood as a minimum common denominator and that could guide future activities of the programme. The Commission at its second session might consider refining and elaborating that blueprint. The Director-General pointed out that the Commission, in considering the agenda item on priorities, would have an opportunity to provide the Secretariat with guidance on how to interpret the relevant mandates. With regard to technical cooperation, he stated that the Secretariat had attempted, within the narrow financial constraints to which it was subjected, to assist States at their request.

5. The Director-General said that the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders were another important task for the Commission. The Ninth Congress would not examine or elaborate draft legal instruments but would mainly provide a forum in which relevant information could be exchanged. The Commission would have before it draft provisional rules of procedure for the Ninth Congress. He reminded the Commission that draft resolutions would need to be submitted well in advance of the Ninth Congress, in accordance with Economic and Social Council resolution 1992/24.

6. The Director-General welcomed the growing cooperation between the Crime Prevention and Criminal Justice Branch and the United Nations International Drug Control Programme in areas of common concern, especially technical cooperation. He stressed that the determination of system-wide priorities would remain extremely difficult as long as the resources available to the Organization were not commensurate with its new tasks. The General Assembly, in its resolution 46/152, had called for additional resources to be made available to the United Nations crime prevention and criminal justice programme. It was hoped that the full implementation of the request contained in that resolution, which had been postponed twice, would be taken into consideration in the programme budget for the biennium 1994-1995.

7. The Officer-in-Charge of the Crime Prevention and Criminal Justice Branch introduced the documents before the Commission. He stressed the need to decide on priorities within the priority areas identified by the Commission at its first session in order to improve the management of the programme. He called for a significant improvement to be made in the level of resources available for the programme.

B. Attendance

8. In accordance with Economic and Social Council resolution 1992/1, the Commission is composed of 40 States Members of the United Nations, elected on the basis of the principle of equitable geographical distribution.

9. The session was attended by representatives of 37 States members of the Commission. Observers for other States Members of the United Nations and for non-member States and representatives of specialized agencies and intergovernmental and non-governmental organizations also attended. A list of participants is given in annex I to the present report.

C. Election of officers

10. At its 1st and 2nd meetings, on 13 April, the Commission elected the following officers by acclamation:

Chairman: Ireneusz Matela (Poland)

Vice-Chairmen: Liliana Ferraro (Italy)
Frank de Silva (Sri Lanka)
Miguel Langón Cuñarro (Uruguay)

Rapporteur: Emna Lazoughli (Tunisia)

D. Agenda and organization of work

11. At its 1st meeting, on 13 April, the Commission adopted the provisional agenda contained in document E/CN.15/1993/1 (see annex II to the present report) and approved the organization of work contained in annex II to that document.

E. Documents

12. The documents before the Commission at its second session are listed in annex III.

F. Consultations with non-governmental organizations

13. In accordance with rule 76 of the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1), statements were made by representatives of the following non-governmental organizations in consultative status with the Council:

Under agenda item 3

Category II: Asia Crime Prevention Foundation

Under agenda item 5

Category II: Amnesty International, Howard League for Penal Reform, International Commission of Jurists, World Federation of Mental Health

14. Written statements submitted by non-governmental organizations are listed in annex III to the present report.

Annex I

LIST OF PARTICIPANTS

Australia: Geoffrey Dabb, Jeffrey Hart, Grant Ronald Wardlaw

Austria: Richard Wotava, Roland Miklau, Ewald Jäger, Emil Tellian, Harald Tiegs, Karl Drexler, Ulrike Kathrein, Franz Brenner, Irene Gartner, Fritz Zeder, Gabriele Loidl

Bolivia: Benjamin Miguel Harb, Eduardo Rodriguez Veltze, Alvaro Del Pozo Carafa

Bulgaria: Ekaterina Batchvarova-Trendafilova, Rossen Popov

Burkina Faso: Alimata Coulibaly Qui

China: Chen Shiqiu, Wang Lixian, Huang Yongan, Lin Chongfei, Guo Xiang, Yang Yuguan, Li Xiaoyi, Cao Jianping

Costa Rica: Elizabeth Odio Benito, Stella Aviram Neumann

Cuba: Zenaida Osorio-Vizcaina, Eliseo Zamora

Dominican Republic*

Finland: Teuvo Kallio, Matti Joutsen, Patrik Törnudd

France: Marcel Trémeau, Olivier Maitland Pelen, Marie-Pierre de Liege, Françoise Rouchereau, Antoine Buchet, Vincent Delbos, Marie-Anne Chapelle, René Brégeon, Dominique Ducrocq, Eliane Rinaldo

Gabon: Justine Nyama

Germany: Dieter Schaad, Peter Wilkitzki, Konrad Hobe, Alfred Protz, Wolfgang Wiethoff, Monika Plate, Gerda Buchalla, Hans-Georg Engelke

Ghana*

Guinea-Bissau: Boubacar Toure

Hungary: Károly Bárd, Posta Istvàn, Klára Bokor Németh, Imre Kertész, Mihály Dihen

Indonesia: J. P. Louhanapessy, Ghaffar Fadyl, I. Gusti A. Wesaka Puja

---

* Not represented at the session.

Iran (Islamic Republic of): Seyed Lotfollah Atabaki, Mehdi Mir Afzal, Hojatoleslam Ali Razini, Hossein Dadgar, Seyed Djalaleddin Madani Kermani, Gholamreza Farkhondeh, Masoud Nili, Seyed Ali Mohammad Mousavi, Mohammad Djavad Hosseini

Italy: Giovanni Conso, Corrado Taliani, Liliana Ferraro, Alberto Schepisi, Adolfo Beria di Argentine, Ernesto Savona, Luigi Rossi, Vitaliano Esposito, Eugenio Selbaggi, Luigi Daga, Giustino di Santo, Paolo Emilio Comes, Gioacchino Polimeni, Francesco di Maggio, Elisabetta Belgiorno, Vincenzo Granito, Maurizio Falco

Japan: Yuki Furuta, Kenji Tanaka, Kunio Nakamura, Takayuki Aonuma, Keisuke Senta

Libyan Arab Jamahiriya: Mostafa Abad Majed Karah, Fadel A. Ben Ashur, Ismail M. Abdullah

Madagascar: Victor Ramanitra

Malawi: James B. Kalaile

Malaysia: Mohamed Hanif B. Omar, Christine Lee Oi Kuan, Zalina bt. Zainol Abidin

Nicaragua: Xavier Arguello Hurtado, Sonia Róa

Nigeria: Wonu Folami, M. U. Offor, M. I. Omuso, S. R. A. Osijo, Hamisu Isah, Hyacinth Iwendi, Umar M. Gummi, M. O. Akinwunmi

Paraguay: Carlos Peyrat

Peru: Victor Pérez Liendo, José Antonio García, Sergio Avila

Philippines: Reynaldo O. Arcilla, Victoria S. Bataclan, Cicero Campos, Faith P. Bautista

Poland: Ireneusz Matela

Republic of Korea: Chang-Beom Cho, Sang-Kil Park, Kie-Cheon Lee, Jae-Min Lee, Byung-In Cho

Russian Federation: Eugueni Abramov, Yuri V. Zaitsev, Mikhail P. Beliakov, Eduard P. Ryazanov, Alexandre V. Zmeyevski, Boris S. Avramenko, Alexandr S. Chtcherbakov, Igor L. Gavlicki, Natalyia Y. Goltzova

Saudi Arabia:	Essa A. Al-Nowaiser, Abdulrahman M. Al-Ghamedi, Abdullah Al-Rumaih, Suleiman Al-Shedukhi, Saleh Mohammed Al-Sheikh, Fahad Al-Zeid, Abdulrahman Al-Beshri
Sierra Leone:	Albert L. O. Metzger
Sri Lanka:	Frank de Silva
Tunisia:	Habib Ammar, Mustapha M'timet, Tahar Fellous Rifail, Slaheddine Mrad, Mokhtar Ben Jemaa, Emna Lazoughli, Fethi Mimouni, Chadlia Ben Alaya, Lotfi Lahdhili, Hafedh Ben Salah
Uganda:	Joseph A. A. Etima, Alfred Nasaba, Rosemary Semafumu
United States of America:	Parker W. Borg, Jane E. Becker, Drew Arena, Thomas G. Martin, Michael DeFeo, Neil Efird, Thomas A. Johnson, Lloyd E. Kelley, Eric E. Svendsen
Uruguay:	Miguel Langón Cuñarro, José D. Lissidini, Carlos Bentancour, Boris Svetogorsky
Zaire*	

States Members of the United Nations represented by observers

Algeria, Angola, Argentina, Armenia, Belarus, Belgium, Brazil, Canada, Chad, Colombia, Côte d'Ivoire, Croatia, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Ethiopia, Greece, India, Iraq, Israel, Jordan, Kazakhstan, Kuwait, Lebanon, Luxembourg, Malta, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Oman, Panama, Portugal, Qatar, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe

Non-members States represented by observers

Holy See, Switzerland

United Nations Secretariat

Commission on Human Rights, Centre for Human Rights, Subcommission on Prevention of Discrimination and Protection of Minorities, United Nations International Drug Control Programme, Dag Hammarskjöld Library

---

* Not represented at the session.

United Nations bodies and affiliated institutes

United Nations Interregional Crime and Justice Research Institute, United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders, Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, Australian Institute of Criminology, International Scientific and Professional Advisory Council, International Centre for Criminal Law Reform and Criminal Justice Policy, International Institute of Higher Studies in Criminal Sciences

Specialized agencies

United Nations Educational, Scientific and Cultural Organization

Intergovernmental organizations represented by observers

Arab Security Studies and Training Centre, Asian-African Legal Consultative Committee, Commission of the European Communities, Economic Community of West African States, International Criminal Police Organization, League of Arab States

Non-governmental organizations

Category I: International Council for Adult Education, International Council of Women, International Federation of Business and Professional Women, Soroptomist International, Zonta International

Category II: Alliance of Non-governmental Organizations on Crime Prevention and Criminal Justice, Amnesty International, Arab Lawyers Union, Asia Crime Prevention Foundation, Association for the Study of the World Refugee problem, Caritas Internationalis (International Confederation of Catholic Charities), Centro Nazionale di Prevenzione e Difesa Sociale, Friends World Committee for Consultation, Howard League for Penal Reform, International Abolitionist Federation, International Association of Judges, International Associaiton of Juvenile and Family Court Magistrates, International Association of Penal Law, International Bar Association, International Catholic Child Bureau, Italian Centre of Solidarity, International Commission of Jurists, International Federation of Human Rights, International Federation of University Women, International Institute of Humanitarian Law, International Society for Criminology, International Society of Social Defense, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs) (International Movement of Catholic Students), Prison Fellowship International, Salvation Army, World Federation for Mental Health, World Society of Victimology

Roster: National Association of Victims Support Schemes

Annex II

AGENDA OF THE SECOND SESSION

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Review of priority themes:
    (a) National and transnational crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment;
    (b) Crime prevention in urban areas, juvenile and violent criminality;
    (c) Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies.
4. Technical cooperation.
5. United Nations standards and norms in the field of crime prevention and criminal justice.
6. Preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.
7. Cooperation and coordination of activities with other United Nations bodies.
8. Implementation of Economic and Social Council resolution 1992/22.
9. Programme questions.
10. Provisional agenda for the third session of the Commission.
11. Adoption of the report of the Commission on its second session.

Annex III

LIST OF DOCUMENTS BEFORE THE COMMISSION AT ITS SECOND SESSION

Document number	Agenda item	Title or description
E/1993/10	4, 8	Implementation of Economic and Social Council resolution 1992/22: report of the Secretary-General
E/CN.15/1993/1	2	Provisional agenda for the session
E/CN.15/1993/2	3, 7	Survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations and on coordination of activities with other United Nations bodies: report of the Secretary-General
E/CN.15/1993/3	3	The impact of organized criminal activities upon society at large: report of the Secretary-General
E/CN.15/1993/4	3	Control of proceeds of crime: report of the Secretary-General
E/CN.15/1993/5	4	The need to identify the most practical course of action to fully operationalize the United Nations crime prevention and criminal justice programme, including financial possibilities: report of the Secretary-General
E/CN.15/1993/6	5	Existing United Nations standards and norms, which serve as recommendations to Member States, in the field of crime prevention and criminal justice in the light of and including their use and application: report of the Secretary-General
E/CN.15/1993/7 and Corr.1	6	Progress made in the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report of the Secretary-General
E/CN.15/1993/8	7	Activities of the United Nations Interregional Crime and Justice Research Institute and other institutes: progress report of the Secretary-General

Document number	Agenda item	Title or description
E/CN.15/1993/8/Add.1	7	United Nations Interregional Crime and Justice Research Institute: report of the Institute
E/CN.15/1993/CRP.1	7	Report of the Eighth Joint Programme Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network
E/CN.15/1993/CRP.2	6	Research and demonstration workshops proposed for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
E/CN.15/1993/CRP.3	3	Replies received after 30 November 1992 to the survey of activities carried out in the field of crime prevention and criminal justice within the United Nations system and by relevant intergovernmental and non-governmental organizations
E/CN.15/1993/CRP.4	3	Report of the World Conference on the Establishment of an International Criminal Tribunal to Enforce International Criminal Law and Human Rights, Siracusa, 2-5 December 1992
E/CN.15/1993/CRP.5	9	Proposed programme of work in crime prevention and criminal justice for the biennium 1994-1995: note by the Secretary-General
E/CN.15/1993/CRP.6	3	Criminal victimization in the world
E/CN.15/1993/CRP.7	3	Environmental crime, sanctioning strategies and sustainable development
E/CN.15/1993/CRP.8	3	Report of the International Meeting of Experts on the Establishment of an International Criminal Court, Vancouver, 22-26 March 1993
E/CN.15/1993/CRP.9	4	Operational activities completed by or proposed to the United Nations Crime Prevention and Criminal Justice Branch since the first session of the Commission on Crime Prevention and Criminal Justice in April 1992
E/CN.15/1993/INF.1		Information for participants

Document number	Agenda item	Title or description
E/CN.15/1993/INF.2 and Rev.1		Provisional list of participants
E/CN.15/1993/L.1	6	Draft discussion guide
E/CN.15/1993/L.2 and Rev.1	6	Draft provisional rules of procedure for the Ninth Congress
E/CN.15/1993/L.3	10	Draft provisional agenda for the third session of the Commission
E/CN.15/1993/L.4 and Add.1-7	11	Draft report of the Commission on its second session
E/CN.15/1993/L.5	5	Austria, Costa Rica, Gabon, Italy, Nicaragua and Uruguay: draft resolution
E/CN.15/1993/L.6	6	Costa Rica and Finland: draft resolution
E/CN.15/1993/L.6/ Rev.1	6	Bolivia, Costa Rica, Egypt, Finland, Gabon, Jordan, Lebanon, Malaysia, Philippines, Poland and Uganda: revised draft resolution
E/CN.15/1993/L.7	3 (b)	Argentina, Austria, Canada, Costa Rica and Philippines: draft resolution
E/CN.15/1993/L.7 Rev.1	3 (b)	Argentina, Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Egypt, Finland, France, Gabon, Germany, Italy, Jordan, Lebanon, Malta, Morocco, Netherlands, Nicaragua, Philippines, Portugal, Russian Federation, Saudi Arabia, Spain, Sweden, Tunisia, Turkey and United Kingdom of Great Britain and Northern Ireland: revised draft resolution
E/CN.15/1993/L.8	4	Argentina, Australia, Canada, Finland, Netherlands and Philippines: draft resolution
E/CN.15/1993/L.9	3 (b)	Algeria, Argentina, Australia, Belgium, Burkina Faso, Canada, Costa Rica, France, Gabon, Italy, Malta, Morocco, Netherlands, Poland and Tunisia: draft resolution
E/CN.15/1993/L.9/ Rev.1		Argentina, Australia, Austria, Belgium, Burkina Faso, Canada, Costa Rica, Egypt, France, Gabon, Italy, Malta, Morocco, Netherlands, Poland, Portugal, Spain and Tunisia: revised draft resolution

Document number	Agenda item	Title or description
E/CN.15/1993/L.10	3	Recommendations submitted by the Vice-Chairman of the Commission, Ms. Lilian Ferraro (Italy)
E/CN.15/1993/L.11	5	Recommendations submitted by the Vice-Chairman of the Commission, Mr. Miguel Langón Cuñarro (Uruguay)
E/CN.15/1993/L.12	3 (a)	Costa Rica, Germany, Italy, Netherlands and Uruguay: draft resolution
E/CN.15.1993/L.12/ Rev.1	3 (a)	Argentina, Austria, Belarus, Canada, Costa Rica, Gabon, Germany, Italy, Netherlands, Poland, Sweden, United States of America and Uruguay: revised draft resolution
E/CN.15/1993/L.13	3	Argentina, Armenia, Belarus, Bolivia, Burkina Faso, Costa Rica, Ethiopia, Finland, France, Gabon, Germany, Italy, Malta, Oman, Peru, Poland, Portugal, Russian Federation, Saudi Arabia, Spain, Tunisia and Turkey: draft resolution
E/CN.15/1993/L.13/ Rev.1	3	Argentina, Armenia, Austria, Belarus, Bolivia, Burkina Faso, Costa Rica, Egypt, Ethiopia, Finland, France, Gabon, Germany, Indonesia, Islamic Republic of Iran, Italy, Malta, Oman, Peru, Philippines, Poland, Portugal, Russian Federation, Saudi Arabia, Spain, Tunisia, Turkey and Uruguay: revised draft resolution
E/CN.15/1993/L.14	3	Germany, Italy, Russian Federation and Uruguay: draft resolution
E/CN.15/1993/L.14/ Rev.1	3	Armenia, Australia, Belarus, Bolivia, Canada, Costa Rica, Cuba, Egypt, Germany, Italy, Lebanon, Malaysia, Malta, Oman, Peru, Philippines, Russian Federation, Saudi Arabia, Tunisia, Uruguay and Zimbabwe: revised draft resolution
E/CN.15/1993/L.15	3	Argentina, Austria, Bolivia, Italy and Turkey: draft resolution
E/CN.15/1993/L.15/ Rev.1	3	Argentina, Austria, Bolivia, Italy, Malta, Poland, Tunisia and Turkey: revised draft resolution
E/CN.15/1993/L.16	7	Argentina, Burkina Faso and Italy: draft resolution

Document number	Agenda item	Title or description
E/CN.15/1993/L.17	7	Argentina, Bulgaria, Ethiopia, France, Gabon, Italy, Malaysia, Nigeria, Tunisia and Yemen: draft resolution
E/CN.15/1993/L.18	7	Burkina Faso, Gabon, Sierra Leone, Uganda and Zimbabwe: draft resolution
E/CN.15/1993/L.18/ Rev.1	7	Algeria, Burkina Faso, Egypt, Ethiopia, Gabon, Malawi, Morocco, Nigeria, Sierra Leone, Tunisia, Uganda and Zimbabwe: revised draft resolution
E/CN.15/1993/L.19 and Rev.1	6	Recommendations submitted by Mr. Frank de Silva (Sri Lanka), Vice-Chairman of the Commission
E/CN.15/1993/L.20	5	Australia, Costa Rica, Italy and Tunisia: draft resolution
E/CN.15/1993/L.20/ Rev.1	5	Australia, Austria, Costa Rica, Italy and Tunisia: revised draft resolution
E/CN.15/1993/L.21	6	Malaysia, on behalf of the Asian States that are members of the Commission on Crime Prevention and Criminal Justice: proposed addendum to the draft discussion guide contained in document E/CN.15/1993/L.1
E/CN.15/1993/L.22	7	Draft decision submitted by the Chairman
E/CN.15/1993/NGO/1	5	Statement submitted by the following non-governmental organizations in consultative status with the Economic and Social Council: International Council of Women, International Council on Social Welfare, International Federation of Business and Professional Women, International Union of Family Organizations, Soroptimist International and Zonta International (category I); Amnesty International, Association for the Study of the World Refugee Problem, Caritas Internationalis, Coordinating Board of Jewish Organizations, Disabled Peoples' International, Howard League for Penal Reform, International Association of Lions Clubs, International Association of Penal Law, International Catholic Child Bureau, International Council of Jewish Women, International Council on Alcohol

Document number	Agenda item	Title or description
		and Addictions, International Federation of Human Rights, International Federation of Social Workers, International Federation of University Women, International Society for Criminology, International Society of Social Defense, Italian Centre of Solidarity, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs) (International Movement of Catholic Students), Salvation Army and Women's International Zionist Organization (category II); International Round Table for the Advancement of Counselling (Roster)
E/CN.15/1993/NGO/2	5	Statement submitted by Prison Fellowship International, a non-governmental organization in consultative status with the Economic and Social Council (category II)
E/CN.15/1993/NGO/3	3 (b)	Statement submitted by the following non-governmental organizations in consultative status with the Economic and Social Council: International Alliance of Women, International Council of Women, International Federation of Business and Professional Women, Soroptimist International and Zonta International (category I); International Abolitionist Federation, International Federation for Home Economics, International Federation of Univeristy Women, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs) (International Movement of Catholic Students) and World Federation of Methodist Women (category II); and International Inner Wheel (Roster)
E/CN.15/1993/NGO/4	3	Statement submitted by the Asia Crime Prevention Foundation, a non-governmental organization in consultative status with the Economic and Social Council (category II)
